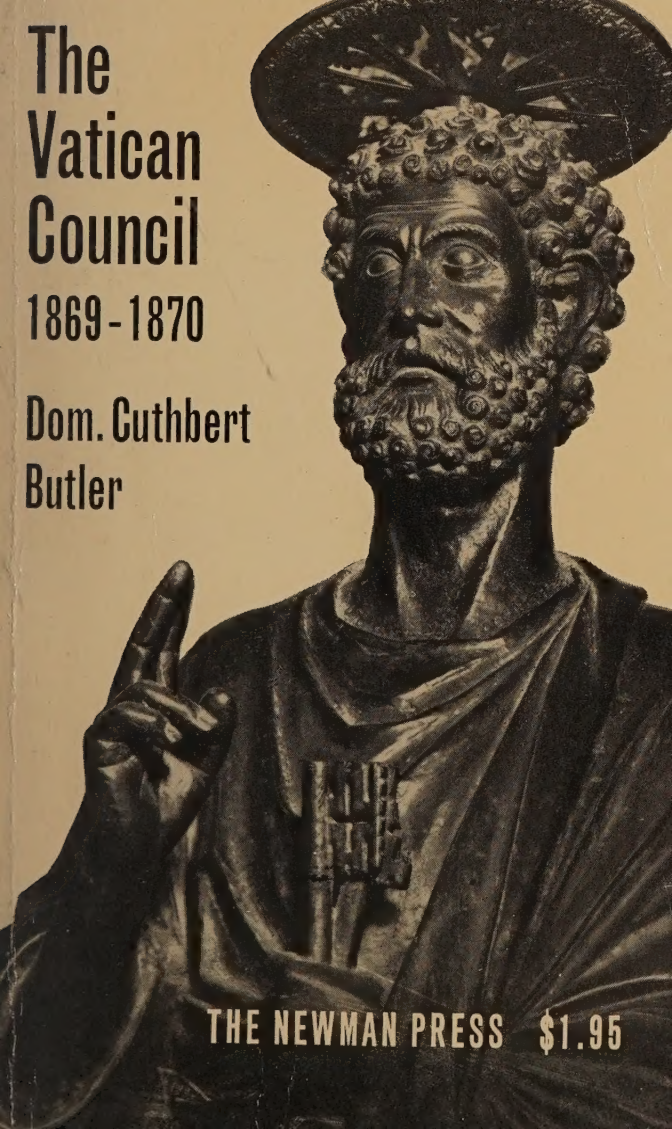
# The Vatican Council

## 1869-1870

Dom. Cuthbert Butler



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THE VATICAN COUNCIL 1869-1870

Dom CUTHBERT BUTLER

# THE VATICAN COUNCIL 1869-1870

BASED ON BISHOP ULLATHORNE'S LETTERS

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ABBOT OF DOWNSIDE

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# PREFACE

The news that there will shortly be held a Second Vatican Council has awakened world-wide interest. Many questions at once suggest themselves. What is a General Council of the Church? What sort of agenda will the Council have before it? What are the powers of such a Council? What happened at the first Vatican Council, nearly a hundred years ago?

The present work, written over thirty years ago by the late Abbot Cuthbert Butler, and published under the title *The Vatican Council*, provides a convenient answer to the last of these questions. It holds the field as the most satisfactory history of the Council in the English language, and it gains weight from the integrity and the recognized scholarship of its distinguished author.

The original work has here been slightly abbreviated, and it seemed desirable to change the title to its present form. But no attempt has been made to revise the well-considered judgements which make the book not only a history but a critique of the Council. To the best of the editor's knowledge, no progress in scholarship since 1930 has made such a revision necessary. The reader will usually find that the book contains the evidence which is required for an assessment of these judgements, and the author's occasional bluntness will, it is hoped, be found rather exhilarating than annoying.

A General, or Oecumenical, Council is essentially a meeting of the bishops in communion with the Holy See. Together with the Pope, these bishops constitute the *magisterium*, or teaching body, of the Church, and are also its supreme executive and governing body. A General Council can thus both define doctrine and make practical laws. Many such Councils, beginning with the famous first Council of Nicaea (325 A.D.), have done both these things. As will be seen, the great tangible and fully official outcome of the first Vatican Council was its settlement of the centuries-old dispute between the 'papal' and

he 'conciliar' views of the Church's constitution, by defining he 'primacy of jurisdiction' of the Pope and his infallibility under certain precisely stated conditions). These doctrinal ecisions have been of enormous importance and of great ervice to the Church. It may, however, be regretted that, for easons which the book makes clear, the complementary uestion about the status and God-given functions of the piscopate as a whole was not answered by the Council. Such egret may be tempered by the reflection that the time was not et ripe for a fully balanced view. Perhaps, in the providence f God, this question will be answered by the second Vatican Council, so that the two Councils, taken together, will pro- ide an authoritative picture of the supreme government and *agisterium* of the Church, which will do justice both to the rimacy conferred on Peter and to that 'collegiate' element vhich is so strongly evidenced by tradition and so rightly herished by many of our separated brethren. The word *ecumenical* has taken on a new nuance in the modern movement owards Christian unity. May the new edition of this book ontribute to the oecumenical dialogue, which requires both harity and a firm basis of mutual understanding and truth.

B. C. BUTLER
*Abbot of Downside*

*tratton on the Fosse*
*April* 1962

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# INTRODUCTION

The series of Bishop Ullathorne's letters suggested to me this History of the Vatican Council, and they are its backbone. But I have gone much further afield, and have laid myself out, by a survey of the documents and literature of the Council, to present a history, authentic and adequate, and of a size that may reasonably be offered to the public likely to be interested in the subject. So far as I know, no such story of the Council exists in any language : the two histories, of Friedrich and of Granderath, are of great length, running each to over two thousand pages.

Dr. Ullathorne, Bishop of Birmingham, was a letter-writer of the old school, who loved writing letters, and wrote them well. Week by week he wrote to friends in England, telling them what news of the Council and of Rome he was at liberty to impart. In these letters we have his impressions, almost from day to day, of the course of events, his estimations of men and movements, his hopes and fears at every turn, told with great actuality : in all, a living picture of the Council from inside, such as, to the best of my knowledge, has nowhere else been given us.

Readers of the *Life of Bishop Ullathorne* will know him as a plain straightforward Yorkshire man, of high character, with wide experience of men and affairs, shrewd and intelligent. At the Council he took up and maintained a 'moderate' or middle position, holding aloof from all movements, all intrigues outside the Council Chamber, refusing to act with any party, or to sign any petition, protest, or other document whatsoever ; yet closely in touch with leading bishops on both sides. Thus we have in him probably a witness as well informed, and as independent, impartial, and objective, as could well be found.

No pains have been spared in the endeavour to make the framework in which these letters are set a comprehensive,

living, and (as I hope) faithful account of the Council itself, of the controversies waged at it and round it, and of the men that waged them.

My thanks are due to Mr. Leslie Toke for kind help in making the Index.

I have to thank also Mr. H. N. Gladstone for the permission to print Mr. Gladstone's letter in c. XVII.

Above all, thanks are due to the Superioress of the Dominican Convent at Stone, for placing at my disposal the dossier of Dr. Ullathorne's letters.

I also desire to acknowledge my indebtedness to the following for permission to reprint certain extracts from copyright works :—

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CUTHBERT BUTLER

*Ealing Priory*
*March* 1930

# BACKGROUND OF THE COUNCIL

## CHAPTER I

## THE PAPAL QUESTION: TEMPORAL POWER: DEPOSING POWER

Although the Vatican Council was convoked to deal with issues of widest import, the errors and calamities of the times, the matter with which in fact it principally dealt was the Papacy; and the outcome of the Council was the settlement of long-standing controversies concerning the position and authority of the Pope in the Church. These questions it was that set going the storm of hostility to the Council throughout the world, and not least in governmental circles in the Catholic countries, as Austria and Bavaria, and in a lesser degree France. But the statesmen and politicians were not greatly interested in such purely theological questions as papal infallibility: it was the question of relations of Church and State that interested them, and their fears were stirred up by the idea that in some way the acts of the Council were going to issue in a reassertion of the claims to temporal power associated with the names of Gregory VII, Innocent III, Boniface VIII. This temporal power was a thing quite different from that understood by the term in modern times, when it has been used for that far lesser thing, the Pope's civil princedom or sovereignty over the portions of Italy known for a thousand years as the States of the Church. This latter question was acutely alive at the time of the Council, but it did not come up during its course. Neither did that other greater temporal power, of which the statesmen were in fear; though aspects of it, relations of Church and State, were all the time simmering beneath the surface and threatening to emerge. And in fact after the Council many did suppose that the old

claims had been in some way revived: witness the great English statesman, W. E. Gladstone, who in 1874 could write that at the Council 'Rome had refurbished and paraded anew every rusty tool she was fondly thought to have disused.' In order to understand the Council it is necessary to understand the atmosphere of suspicion and hostility in which it sat; and to understand this, it is necessary to go back a long way, to the roots of the Papal Question on the temporal side.

In 1044 the condition of the Papacy had become so scandalous that the Emperor Henry III intervened. As the only means of freeing the Papacy from the domination of the Roman nobles, the Emperor was given by the electors of the Roman Church the right of practically nominating to the Papacy, and he now used this right to appoint a series of German Popes, among them his cousin, the Bishop of Toul, known as Pope St. Leo IX, 1049-54. There is no more wonderful phenomenon in history than the resilience of the Papacy at this critical moment; the immediate resurgence of its position and prestige at the middle of the eleventh century, out of the state of prostration and degradation in which it had lain for wellnigh two hundred years.

The name associated with this resurrection is Hildebrand the monk. For a quarter of a century he was of five Popes the adviser, inspirer, strengthener; their legate and plenipotentiary in all difficult affairs, with a courage, perseverance and clear-sighted vision that overbore all opposition. Then in 1073 he mounted the apostolic throne as Gregory VII, to hold it during twelve of the most fateful years in the life-history of the Church and of the whole of Western Christendom. He was faced with gigantic evils in Church and State. It was a time of violence, of confusion, of the break-up of the bonds of society. Those whose historical outlook has been cramped and confined to the regulation school course of History of England are not equipped with the knowledge necessary for judging the actions of Popes or Emperors in the eleventh, twelfth, and thirteenth centuries. Hildebrand at once took in hand the Herculean labour of stemming the flood of evils that threatened to engulf Western Europe, of puri-

fying the Church, and freeing the spiritual power from its thraldom to the secular powers. His first concern was to strike at the tap-root of the evil, simony, which was rife and rampant on all sides ; emperors, kings, bishops unblushingly trafficked in bishoprics, abbeys, benefices, often with great possessions and incomes.

With the winning for the spiritual power of freedom from the trammels of state authority was bound up the securing of freedom of election to bishoprics and to the Papacy itself, and the abolishing of the practice of investiture, whereby bishops and abbots received from emperor or king the ring and pastoral staff, the symbols of spiritual authority. Even after the just compromise was found in England by St. Anselm and Henry I, whereby bishops and abbots did homage to the king for their temporal feudal possessions, but did not receive from him ring and staff, a compromise eventually adopted on the Continent, the temporal sovereigns sought with pertinacity to cling to this right of investiture.

It has to be remembered that of all the States of modern Europe, England alone, and after the Conquest, was under the actual effective rule of the monarch. The other countries—German Empire, France, Spain—were long partitioned into feudal territories under rulers recognizing only a dubious and often disputed suzerainty in the sovereign. Thus the eleventh and twelfth centuries were the time when the European States were in process of formation, when the sovereigns were asserting their claims, bringing the feudal territories under control, and gradually fusing all into the great compact nations we know to-day. The process was one of force and violence, of intrigue, of perpetual wars waged with ruthless savagery, of rebellions and feuds, of widespread evils of all kinds, and a consequent loosening of the bonds of morality.

In face of such political and social chaos, it may safely be said—and it is agreed by standard modern historians—that the chief hope not only for the Church and religion, but for Society, lay in a strong Papacy. The Papacy was the one power in Western Europe of sufficient weight and authority to make a firm stand against the evils of the time.

Though the exercise of the Pope's spiritual authority by excommunication or interdict might be defied or ignored, the spiritual authority itself was not questioned in Western Christendom. Even the most recalcitrant emperor or king or feudal prince took it as axiomatic that the Pope, as successor of St. Peter, was the Vicar of Christ and God's supreme representative, invested with His authority to rule in things spiritual. In times of strain the Pope's spiritual authority was not disputed, but an Antipope was set up—Antipopes were an almost constantly recurring feature of the period. That which was contested by temporal rulers was what they held to be invasions of their rightful authority in the government of their countries. It was the problem of Church and State: the adjusting in practice of the command to give to Caesar the things that are Caesar's, and to God the things that are God's. The temporal rulers ever strove to bring the spiritual order under their control—to appoint bishops and abbots, to invest them with ring and staff, thus claiming to be the source of spiritual authority as well as temporal: though the claim of exclusive supremacy in the spiritual order, as made by Henry VIII in England, was not ever so nakedly put forward in the Middle Ages.

The invasions of the spiritual order by temporal rulers led, by an inevitable reaction, to a vast claim by the Popes of authority in the secular order; and the union—the mixing up—of the two orders by the Popes must seem to us an extraordinary, and to our modern minds an almost unthinkable thing. The organizing of wars by the Popes for purposes hardly or not at all religious; their leading forth military expeditions to subdue to their authority rebellious cities or castles in the States of the Church; the ruthless use of the spiritual weapons of excommunication and interdict on issues often purely political and secular; the launching of crusades against cities, as Venice in 1309, when no issue of heresy or religion was at stake: it all makes bewildering reading, which even in an unfolding of the story on the whole so sympathetic as the late Mgr. Mann's *Popes in the Middle Ages*, teems with episodes that must distress those who are accustomed to look

on the Holy Father as standing for the kingdom of God on earth. Yet must it be recognized, and it is recognized by the most independent modern historians, that this side of the Papacy was a necessary factor in the formation of modern Europe. The great German Emperors of the Franconian and Suabian Houses, who confronted the Popes during two centuries, were terrific men: powerful, able, determined, ruthless, resourceful, often unscrupulous and faithless, sometimes openly licentious. And not unlike them were Kings of France and of England. In the contest for the independence of the Church against such rulers, the modern Pope, interested only in the welfare of religion, wielding only spiritual authority, would not have counted, would have had no power for good, in those times of brute force and turbulence. Only that union of spiritual and temporal force that seems so strange to us, could have withstood the evils and achieved the great work for Western Christendom, which the medieval Papacy would seem to have been providentially raised up to achieve in the transitional period while the Teutonic principalities were being welded into the nations of modern Europe.

That which probably causes to us the greatest surprise is that single-minded men, as confessedly Gregory VII was, whose one care was the purifying of the Church and the raising of the level of religion, should have been so keenly desirous to extend the temporal dominions of the Pope, whether direct, as over the States of the Church, or indirect, by way of feudal suzerainty exercised over many of the kingdoms and principalities of Western Europe. With alternations of shrinkage and increase the States of the Church, as fixed by Pepin and Charles the Great in 800, remained practically the same during a thousand years, until the annexation of most of them by the Italian Kingdom in 1860. But they were a perpetual thorn in the side of Hildebrand and his successors. These Popes cannot have thought that their dominions were well-governed: Rome itself was the centre-spot of turbulence for all Europe. Seldom did the Popes rule effectively in their own City, but were at the mercy of the most

riotous and fickle populace and the most violent nobles of Europe,—hunted out again and again, and forced to call in Emperors or Norman Dukes of Sicily to quell disorder. The Popes had to organize and lead out in person military expeditions to reduce rebellious towns and fortresses by the methods of ruthlessness usual in those times. Yet do we find Gregory VII and his successors for more than a century striving to add to their possessions the vast territories bequeathed to the Church by the Countess Matilda of Tuscany, embracing Tuscany and Modena, up to Mantua. As South Italy and Sicily was effectively recognized as a fief of the Holy See, and was held as such by Norman Dukes and later by Kings of the Two Sicilies or Naples, the entire Italian Peninsula south of the Po, south of Genoa, would thus have fallen under the temporal sway of the Popes.

And not only an increase of sovereignty, but still more an increase of suzerainty was aimed at by these Popes. In the century after Hildebrand the Popes came to be suzerains over a great part of Western Europe. By no means always was it of their own seeking. Confronted with a doubtful succession rulers knew that the most effective way of making sure their crown was to obtain the recognition of the Pope: thus our English King Stephen obtained practical recognition of himself as King of England, but on the condition that his son should not succeed him, and that the crown should pass to the rightful heir, Henry II, at the time too young to reign. On the gradual expulsion of the Moors from Spain, the Kings of the Christian kingdoms of Aragon, Leon, Castile, all sought for recognition from the Pope; similarly the rulers of the Balkan States. Many countries were made fiefs of the Holy See as the surest way of safeguarding their independence: the independence of Scotland was preserved for a long time owing to the Scottish kings' holding as feudatories of the Holy See. Gradually, in one way or another, the whole of Western Europe, it may be said, save only France, had come under the overlordship of Innocent III.

The grounds on which this, to us incomprehensible, state of things came about were manifold. In part it was the

culmination of the feudal system, the root idea of which was that every possessor of landed propery held it from an overlord. And the supreme overlords, Emperor, Kings of France or of England, of whom did they hold? Of God; but mediately through God's representative the Pope. This idea received colour from the circumstance that the Emperor, recognized as holding a unique position, with precedence and authority above all other temporal rulers, did in fact receive his status, not as King of Germany, but as Roman Emperor, from the Pope, and could not be invested in his imperial position save by receiving his consecration and crowning at the hands of the Pope. If the Emperor, much more other sovereigns. Thus though England was always independent of the Empire, still even before the act of King John, English Kings, as Henry II and Richard Cœur de Lion, did in a way recognize the idea of a certain suzerainty of the Pope.

Then there was the Donation of Constantine, accepted without question throughout the Middle Ages, whereby it was believed that the first Christian Emperor had, in the plenitude of his power, handed over to the Pope, when he himself transferred the imperial residence to Constantinople, the New Rome, the power to rule over Italy and 'the Islands', and in a vague way all the West. It was on the strength of the Donation that the Popes gave authority for the Norman invasions of England and of Ireland, and many similar assignments of territory.

Added to these secular considerations were various theological considerations enunciated with great force by Hildebrand and his successors. Thus he cited, in order to establish his right to decide between rival claimants of the Empire, the texts of St. Paul, 'If we shall judge angels, how much more the things of this world,' and 'the spiritual man judgeth all things.' Similarly, 'the greater light to rule the day' signified the spiritual power, and 'the lesser light to rule the night' the temporal power, which receives its authority from the spiritual. Also the 'two swords' of Luke xxii, 38, were constantly interpreted as meaning the spiritual sword wielded

by the Church by excommunication and interdict, and th temporal sword to be wielded by the State at the behest of th Church, in defence of its interests spiritual and religious, bu in practice often secular.

Such claims were formulated in their most extreme form b Boniface VIII in the bull 'Unam Sanctam'. They cam nearest to realization with Innocent III, who claimed t exercise, and did exercise, a guidance and effective control o the higher policies of Western Christendom. But the tw volumes of Mgr. Mann's *Popes* devoted to Innocent III make the impression that the task was superhuman, beyon the powers of man, and that his high policies were for th most part failures. Much more was it beyond the powers o the lesser men who followed him in the Papal Chair.

The idea of the Papal Monarchy, to use Dr. William Barry' term,[1] culminated and broke in the hands of Boniface VIII Philip of France, to avert a pending excommunication, ha recourse to physical force which brought about the death o Boniface, 1303. The fact was that the medieval system ha passed away. France, England, Spain, Scandinavia, wer now strong kingdoms without any vestige of the idea o subordination to the Empire. The Empire had changed it character, had expired with Frederick II in 1250; he was th last real Roman Emperor of the West after the old idea. Th death of Boniface VIII was followed by the seventy years of th Avignon residence of the Popes; and that again by the thirt years of the Great Schism. This century of depression of th Papacy ended the medieval conception of the Pope's Tempora Power and reduced it to the limits of the Civil Sovereignt over the hereditary States of the Church. Instead of bein the general arbiter and director of the affairs of Weste Christendom, the Pope, on the temporal side, became one o the Italian Princes.

It is worth recording that a great change of mentality ha come over the modern historical schools in regard to th persons, characters, objects, policies, actions of the grea Popes of the Middle Ages, notably Gregory VII and Innocen

[1] See his book, so entitled.

III. They are now commonly written about with much understanding and even sympathetic appreciation.

### THE DEPOSING POWER

It has just been said that the Temporal Power of the Popes in its greater sense ended with Boniface VIII, 1303; but the most formidable feature of that power continued in action for a longer time; namely, the Deposing Power: the power claimed and often exercised by the Popes of excommunicating a temporal ruler—emperor, king, or prince—declaring him deposed, absolving his subjects from their allegiance, and assigning the crown to another chosen by the Pope. The outstanding and best-known case, and the first, was the deposition of the Emperor Henry IV by Hildebrand, which ended in Canossa. The quarrel was over investiture and simony, over Henry's imprisoning of Saxon bishops after crushing the Saxon revolt, over his invasions of Church liberties, rights, and property, and over his notoriously licentious life. It may be said that Gregory was only hitting back; for Henry had held a synod of German and Lombard bishops and princes who had declared the Pope excommunicate and deposed. Once established in this test case, the deposing power was brought into play a surprising number of times during the next two centuries. Often the mere threat was enough: the greatest Emperors, Frederick Barbarossa and Frederick II, Kings of France, Dukes and Princes, our own King John, were thus brought to submission. That the Pope had the power to excommunicate anyone fallen into heresy, or leading an openly scandalous life, or invading Church property, or setting at defiance the laws of the Church —and emperors or kings no less than smaller folk—was not questioned in those days, at any rate after its effective assertion in the case of Henry IV. And it was unquestioned, a part of the 'ius publicum' or law of nations, and an accepted law of the Empire, that 'if a man were not absolved from a sentence of excommunication within a year and a day, he was

to be deprived of every dignity.'[2] Thus sentences of excommunication of monarchs and consequent deposition were generally accepted by all concerned: Henry IV found his supporters, princes and bishops, falling away from him as the year was running out, and preparing to elect another King of Germany; this it was that took him to Canossa. There was no questioning of the power, even when it was resisted; no theorizing about it; it was part of the Pope's prerogative as Successor of St. Peter and Vicar of Christ, exercising His authority. It was founded on an amalgam of political and civil, and of religious and spiritual ideas, that were not analysed out into their component parts, and lived on in the minds of Popes and Roman authorities and theologians and canonists long after the medieval polity of Europe had broken up.

It is necessary to go into this matter of the deposing power, because it arose in connexion with the Vatican Council; and in particular the bull 'Unam Sanctam' of Boniface VIII came up, as one of the four difficulties from history, recognized as having substance in them, standing in the way of the definition of papal infallibility. Over these questions of the temporal power there was published in the *Irish Ecclesiastical Record* in 1928 and 1929 a series of articles by Fr. R. Hull, S.J. He says: 'The Popes had long been acting as masters of the world,' before any theory was formulated of the principle on which such action was based. This was done, among others, by one Jacobus de Viterbio, who at the height of the conflict between Boniface VIII and Philip of France wrote in 1302 a defence of Boniface's claims: *De Regimine Christiano*. Fr. Hull gives an instructive analysis of the contents of this politico-theological tractate, and the following summary of its thesis:[3]

> According to it, in its broad outlines, the Pope was the supreme ruler of the Christian Commonwealth; and, in particular, from him all temporal power was derived. All

[2] References given by Mann, *Popes*, VII, 104.
[3] L.c. May and September 1928.

Christian princes owed the full possession of their authority to the spiritual power; there was in fact really only one *regia potestas*, which was in the hands of Christ's Vicar. The temporal rulers were instituted, could be judged, and even deposed, by the Pope.

This is the high theory of the 'direct power' of the Pope over temporals. In the article on the 'Unam Sanctam' (March 1929) Fr. Hull sees in that famous bull an assertion of the direct power—rightly, I cannot but think: 'That this was the personal view of Boniface, and that this was the teaching of the bull, can hardly be questioned.' He points out of course that only the formal definition at the end, and not the body of the bull, is, according to received principles, to be taken as an *ex cathedra* pronouncement; and the definition does not assert the theory of the direct power: many theologians see in it no more than a vigorous assertion of the Pope's universal spiritual authority.

Less extreme theories were held by other authorities and the whole question was in vigorous controversy among theologians and canonists for wellnigh three centuries. It fell to Cardinal Bellarmine to treat the question systematically in his great work on 'Controversies' against the Reformers (1586). He was in the presence of a school of theologians and canon lawyers who maintained that the Pope, as Vicar of Christ, was Lord of the entire earth, with supreme power over temporals no less than spitituals. There was a curious theological controversy as to whether Jesus Christ had exercised as Man jurisdiction over temporals, a jurisdiction handed on to St. Peter and inherited by the Popes. Bellarmine maintained that He had not; and in regard to the temporal authority of the Pope he formulated what was in those days looked on as a middle and moderate position.[4] He laid down that the Pope is not the Lord of the whole world, nor even of all Christendom; nor has he any merely temporal jurisdiction directly by divine right. But though he has no direct or

[4] The whole subject is dealt with in Fr. J. Brodrick's *Robert Bellarmine, Saint as Scholar.*

immediate power in the temporal order, still when spiritual and religious interests are involved, he has an indirect power that is supreme: 'he possesses in order to effect spiritual good supreme power of disposing the temporal affairs of all Christians.' Hence, though he cannot ordinarily make civil laws, nor confirm or abrogate the laws of civil princes, he can do all this, if any civil law be necessary for the salvation of souls, and kings are not willing to enact it; or if a law be harmful to the salvation of souls, and kings are not willing to abrogate it. Similarly, though he cannot as Pope ordinarily depose temporal sovereigns as he may depose bishops, as the supreme spiritual ruler he can change kingdoms, take them from one and confer them on another, if it be necessary for the salvation of souls. This indirect deposing power, when necessary for the spiritual good of the people, Bellarmine stoutly maintained, above all in cases wherein a ruler should try to lead his people into heresy. This doctrine seems strong enough to us; but in those days it was looked on by the 'direct' school as a giving away of the Catholic position and Pope Sixtus v—that terrible old man, of whom Queen Elizabeth is reported to have said that he was the only man in Europe fit to be her husband,—ordered the first volume of the 'Controversies' to be put on the Index, for its denial of the Pope's direct power in temporals. Only his death prevented the actual publication, and his successor hastened to revoke the decree and to give his approval to Bellarmine's doctrine.

The last case, I believe, of the exercise of the deposing power was the deposition of Queen Elizabeth by Pius v in 1570 by the bull 'Regnans in excelsis'. For her propagation of heresy she and her abettors are declared excommunicate; she is deprived of her pretended right to be Queen of England; all her subjects are released from their oath of allegiance and from all obedience to her; and all who obey her are declared to be implicated in the same excommunication. This last clause created an impossible position for the English Catholics; consequently the operation of the deposition was suspended until such time as it should become possible.

This matter of the deposing power was, for the two centuries of penal times, the outstanding political difficulty of the English and Irish Catholics. A repudiation of it was insisted on by successive British Governments as the condition of any mitigation of the penal laws, or any measure of relief or emancipation. At the middle of the eighteenth century, 1757, a body of representative Irish Catholics, lay and clerical, drew up a Declaration contradicting certain 'misrepresentations and calumnies' popularly alleged against the Catholic religion. Among such calumnies they disavow the principle that no faith is to be kept with heretics, or that it is lawful to murder heretics, and other equally monstrous doctrines. Furthermore,

> they abjure, disavow, and condemn the opinion that princes excommunicated by the Pope and Council, or by any ecclesiastical authority whatsoever, may therefore be deposed or murdered by their subjects, or any other persons: . . . or that the Pope or Council or any other ecclesiastical power whatsoever, can absolve the subjects of this kingdom, or any of them, from their allegiance to His Majesty King George. We do further declare that we do not believe that the Pope of Rome, or any other prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or preeminence, directly or indirectly, within this realm.[5]

The Declaration is given by Sir Henry Parnell, *History of the Penal Laws* (p. 49). He says it was proposed by the Bishop

[5] It is worth noting that the language of the Declaration is, with a few necessary modifications, that of the Oath taken by Protestant office-holders at that date: 'I do swear that I do from my heart abhor, detest, and abjure, as impious and heretical, that damnable doctrine and position that princes excommunicated, etc. (this is the oath of 1606). And I do declare that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, etc., ecclesiastical or spiritual, within this realm.' The terms 'heretical', 'damnable', have been eliminated in the Catholic form, and for 'ecclesiastical or spiritual' has been substituted 'temporal or civil'. Protestants had to make the declaration against mental reservations, thought to be particularly insulting to Catholics.

of Kildare and was 'signed by many clergymen and gentle men of rank and property, and sent to Rome as the act and deed of the Irish Catholics.'[6] What Rome thought or said —if anything—is not recorded. But presumably there was no formal condemnation, for the Declaration was the basis of the Oaths of Allegiance imposed by the Reliefs Acts from 1774 to 1829, and considered by the Irish and English bishops including Milner, lawful for Catholics to take with safe conscience.[7] The whole course of negotiations over Emancipation had at every turn been submitted to Rome, and it is morally certain that the form of the oaths was known there and at least tacitly tolerated. And there is definite evidence that such was the case. Dr. Gradwell, Rector of the English College at Rome, wrote to Lingard in 1827: 'Rome would never approve, but only tolerate, the Oath which English Catholics take at present.' But even toleration of a denial of the deposing power marks a change in theological opinion since the early years of the seventeenth century, when for such standard theologians as Bellarmine and Suarez the deposing power was an integral part of the Catholic system, next door to an article of Faith.

Not only in England, but in France also, the deposing power was one of the questions exercising men's minds in the sixteenth and seventeenth centuries, and the first of the four famous Gallican Articles of 1682 was a repudiation of it, and of any right on the part of the ecclesiastical power to interfere directly or indirectly in purely civil and political affairs.

The deposing power fell into desuetude after the failure in the case of Elizabeth; even the excommunication of a sovereign was no longer held to imply or lead to deposition: thus when Napoleon was excommunicated by Pius VII he was not deposed. It certainly is strange that this bogey of the deposing power should have been resuscitated at the time

[6] See article 'The Oaths' in *Rambler*, Jan. 1862 (p. 250). The 'Declaration' is there printed in full. Though clearly the origin of the series of relief and emancipation oaths, 1774 to 1829, it seems to have escaped those who in recent years have dealt with these oaths.

[7] For these oaths see Bishop Ward, *Dawn of Catholic Revival*, App. F and *Eve of Emancipation*, App. O.

of the Vatican Council. Yet so it was. The 'Old Catholic' professor Dr. Schulte, in a tractate of 1871 against the Definitions of the Council,[8] sought to discredit them by treating as infallible pronouncements the series of bulls of excommunication and deposition of sovereigns. On this Pius IX made a noteworthy declaration, July 1871:

> There are many errors regarding infallibility, but the most malicious of all is that which would include in the doctrine the right of deposing sovereigns and declaring the people free from their duty of allegiance. This right was, indeed, exercised at times by Popes in extreme cases; but neither the claim to it nor the use of it have anything to do with papal infallibility. Its source was not papal infallibility, but papal authority. That authority, according to the public law then in force and by the agreement of Christian nations, which revered in the Pope the supreme judge of Christendom, included the judging, even in temporal matters, of princes and states.
>
> But present conditions are altogether different from this, and only malice could confuse things and times so different; as if an infallible judgement concerning a principle of revealed truth had any affinity with a right which the Popes, solicited by the desire of the people, had to exercise when the common good demanded it. It is very clear why currency is now being given to such an absurd idea, that no one any more thinks of, and least of all the Supreme Pontiff. They seek for pretexts, even the most frivolous and the most untrue, to stir up Princes against the Church.[9]

The direct purpose of Pius IX in this pronouncement was to assert, as against Schulte and others, that the exercise of the deposing power had nothing to do with infallibility. But it would be incorrect to say that this is all he said. He explicitly based the right, not on theological grounds, as a right *jure divino* inherent in the papacy; but on an authority

[8] See below, Chapter XXVI.
[9] Text in *Civiltà Cattolica*, August 1871, p. 4

derived from the public law of the Christian Commonwealth of the Middle Ages, and by the agreement of the Christian nations, in conditions altogether different from those now existing. It is not too much to say that herein is an endorsement of the theory associated with the name of Fénelon, and developed by abbé Gosselin, Director of St Sulpice, Paris; according to which the deposing power was not exercised *jure divino*, and is not an article of Catholic Faith; but was exercised *jure humano*, as part of the common public law (*jus publicum*) of Europe in the Catholic centuries.[10]

The deposing power was the logical issue and the culmination of Bellarmine's theory of the 'indirect power'; lesser aspects of the theory will come up for consideration in a later place (Chapter XVII).

[10] See Gosselin's work, translated 1853, *Power of the Pope during the Middle Ages*, II, 7 ff.

CHAPTER II

# GALLICANISM

Gallicanism may be defined in general as the tendency, while accepting the Papacy as of divine institution, to oppose or minimize the papal claims as they have been made in history. It has been of two kinds : political and theological. Political Gallicanism contested the claims to authority in the temporal order as asserted and exercised by Gregory VII, Innocent III, and Boniface VIII ; theological Gallicanism contested certain claims of the Papacy in the spiritual and religious order. These tendencies of course manifested themselves in other countries than France ; they have received the name ' Gallican ' because all through history it has been in France that they have found their chief expression.

Political Gallicanism reached its culminating point in the contest of Philip the Fair with Boniface VIII, whereby was practically broken what Dr. William Barry has named ' The Papal Monarchy ', the temporal power as it had been asserted and exercised by the Popes during two centuries. These claims were formulated in Boniface's famous bull ' Unam Sanctam ' ; he protested, indeed, that he claimed no direct authority in things temporal and secular ; but his actual claims were very far-reaching, and as we shall see, the ' Unam Sanctam ' was one of the four things finally sorted out at the Vatican Council as presenting real difficulty to the definition of papal infallibility. Philip opposed physical force to Boniface's spiritual force, and in such wise that the Pope's death ensued. This, and the transference of the papal residence to Avignon, where the Popes fell more and more under French influence, followed by the Great Schism, in reality an attempt to perpetuate French domination over Pope and Church, brought about a century of impotence for the Papacy, and broke for ever, in fact if not in theory, the

medieval conception of the temporal predominance of th
Popes.

Of greater interest for us is theological Gallicanism, fo
the practical work of the Council was to rule it out of th
Catholic Church as a permissible theological opinion. Afte
various earlier adumbrations, it received its first formulatio
at the Council of Constance, held 1414-17, to bring to an en
the Great Schism. Here was raised the question of th
relations between General Council and Pope. The situatio
was abnormal, unique. The question uppermost in the mind
of all was the ending of the Schism, which for five and thirt
years had devastated the Church and produced a spate of un
paralleled confusion. There were three Popes in the field
and all men saw that the only way of achieving the so necessar
result was by bringing about the withdrawal or retirement o
all three claimants, and the electing of a new Pope acknow
ledged by all. As for a long time the rival Popes refused t
abdicate, the question was mooted of the power of the Coun
cil to depose them, and this in turn led on to the question o
theory as to the relations between General Council and Pope
At the fourth and fifth sessions, 1415, decrees were adopte
declaring that a General Council, as representing the Universa
Church, held its power immediately from Jesus Christ; tha
it could not be dissolved nor prorogued without its own
consent; and that everyone, even the Pope, was bound t
obey the Council in matters concerning the Faith, the extinc
tion of the Schism, and the reform of the Church in its hea
and members; and that the Council had authority over th
Pope as well as over all Christians. It followed that when
General Council was in session the supreme authority of th
Church was vested in it, not in the Pope.

As a matter of fact, the three Popes were induced to with
draw, he of the Roman line, wherein as is now recognize
the lawful succession lay, regularizing the Council from th
Roman point of view, before formally abdicating. The viev
has ever been held at Rome, that it was by virtue of this act o
the real Pope that the Council was made properly œcumenical
and the approval of its acts was given with the reservatio

'saving the rights, dignity, and pre-eminence of the Apostolic See' (so Eugenius IV, 1439).

The chief protagonists of the theory of the supremacy of the Council had been the two great Frenchmen, Peter d'Ailly, Archbishop of Cambrai, and John Gerson, Chancellor of the University of Paris. After Constance these questions of the theoretical constitution of the Church—monarchical or constitutional—continued to be debated, and during the long period that the Council of Basle dragged out its chequered course, 1430-47, they were discussed and contested among the theologians, canonists and lawyers, the Popes steadily resisting the attempts of the Council and its adherents to encroach on the monarchical status of the Papacy, as the one established by Christ. On the whole the renaissance Popes were successful in maintaining their position substantively, though there existed through the fifteenth and sixteenth centuries theological schools, especially in France, hostile to the full Roman claims.

The Gallican position was quite different from that of the Protestant Reformers, and from that of Henry VIII and Elizabeth in England: these threw off entirely papal authority even in things spiritual, and rejected the Pope's position as Vicar of Christ and Head on earth of the Church. The Gallicans accepted these fundamental positions, while contesting some of the conclusions and applications drawn from them. They accepted also fully the Catholic teaching on the Church, one, visible, infallible. Bossuet is the classical exponent of theological Gallicanism. We find him laying down such propositions as these:[1]

> The Son of God, since He willed that His Church should be one, . . . instituted the primacy of St. Peter to maintain and cement it.
>
> The Chair of St. Peter is the common centre of all Catholic unity.
>
> The Catholic Church from her birth has had for a mark

[1] I owe these pieces from Bossuet to the *Catholic Dictionary* of Addis and Arnold, art. 'Pope'; I have, however, verified them.

of her Unity her communion with the Chair of Peter, so that remaining in it, as we do, without letting anything separate us from it, we are the body which has seen those who have severed themselves fall on the right hand and on the left.

We grant that in Church law there is nothing the Pope cannot do, when need requires it. The canons prescribe the mode of the exercise of this power; they do not touch the power itself, but its use (*Defensio*, lib. XI, c. 20).

There is one chief bishop, there is one Peter appointed to guide all the flock, there is one Mother Church established to teach all the others; and the Church of Jesus Christ founded on that unity, as on an immovable rock cannot be shaken.

And on the Petrine texts:

Peter by his confession of Christ's Godhead attracts to himself that inviolable promise which makes him the foundation of the Church. And Peter will live in his successors Peter will ever speak in his Chair.

'Confirm thy brethren.' Christ does not merely give a commandment to Peter individually: Peter receives an office which Christ founds and institutes in His Church for ever. There was always to be a Peter in the Church to confirm his brethren in the faith; it was the most fitting means of establishing that unity of sentiments which the Saviour desired above everything; and that authority was so much the more necessary for the successors of the Apostles, inasmuch as their faith was less stable than that of those from whom they sprang (i.e. the Apostles).[2]

The Gallican position was practically French only; Pascal says that scarcely anywhere except in France is it permissible

[2] Anyone wishing to know Bossuet's mind, should read the sermon on the 'Unity of the Church', preached at the Opening of the General Assembly of the Clergy of France, Nov. 1681 (Œuvres de Bossuet, Paris 1748, tom. V; 1862, tom. XI).

in these days to say that the Council is above the Pope.[3] The official formulation of the Gallican position was made in the famous 'Four Articles' of 1682:

1. Rejects the deposing power and the right, direct or indirect, of the Pope or the ecclesiastical power to interfere in civil and temporal affairs.
2. Asserts the full validity of the decrees of the fourth and fifth sessions of Constance on the authority of General Councils over the Pope.
3. Declares that the exercise of the Apostolic power is to be regulated by the canons of the Church, and in France by the laws and customs of the Gallican Church.
4. 'In questions of faith the Pope has the chief part, and his decrees apply to all the churches and each church in particular; yet his judgement is not irreformable unless the consent of the Church be given to it.'

These articles were in 1690 declared by the Pope to be null and void, but without theological censure; so that they could be, and were, taught in Catholic schools in France and elsewhere, up to the Revolution.

The standard assertion of Gallicanism was Bossuet's *Defensio Declarationis Conventus Cleri Gallicani.* It is a big work, immensely learned, teeming with citations from Fathers, Councils, theologians, historians. To attempt to extract from it an account of the Gallican theory would be a labour of great difficulty and of prolonged study. Fortunately a simpler and more satisfactory course lies at hand for setting forth the practical Gallican teaching as held in France during the eighteenth century. In 1768 Dom Jamin, a Maurist Benedictine, published a volume, *Pensées Theologiques relatives aux Erreurs du Temps*, which had a great vogue, a seventh edition

[3] Il n'y a presque plus que la France où il soit permis de dire que le concile est au-dessus du pape (*Pensées*, art. XXIV, No. 85, Édition Lahure, Paris, 1858). In some editions this sentence is omitted. It stands in the latest edition by Chevalier, 1925, p. 528. In the same place Pascal rejects the personal infallibility of the Pope, while affirming that of the Church.

appearing in 1792. It is a popular manual of Christian and Catholic doctrine intended for the educated laity, treating of God, Religion, the Church, and so on ; and it contains a clear and sober statement of the Gallican theory. An attempt will be made to set out the principal heads of this teaching.

In the first place it should be made clear that the author was no Jansenist, nor had he any sympathy with the attitude of the later Jansenists. He utterly reprobates the famous distinction ' de droit et de fait ' :

> The Church exacts from all her children an interior submission to the judgements she passes on ecclesiastical books and their authors. How can we reconcile this true submission which every faithful man owes to the Church with the distinction ' de droit et de fait ' which a proud subtlety has often imagined, only to elude the apostolic decisions ? It is deceiving ourselves to pretend to obey by keeping silence in regard to the fact, without making the submission of our minds (p. 233 ; cf. p. 235).

Jamin lays down as basis of his theological position the full Catholic doctrine of the Church as a visible society, the depository of religion (121).

> The Roman Church, that which recognizes the See of Rome as its centre of unity, alone possesses the Marks of the Church of Christ, one, holy, catholic, apostolic (124).
>
> Jesus Christ is the supreme Head, and the Roman Pontiff is the ministerial Head, in his quality of successor of St. Peter (125).
>
> The form of ecclesiastical government is not a democracy ; it is not an aristocracy—those who govern are not equal in authority. Nor is it a monarchy, because the authority does not reside in one single person. What then ? It is a monarchy tempered by aristocracy, which recognizes one Head whose power is limited (liée) by the canons (170, see 3rd Gallican article).

The Church must have a visible Head because she is one, and her unity cannot be preserved without a common centre. But this Head is the Roman Pontiff, who in his quality of successor of St. Peter has by divine right, above the other bishops, the primacy of honour and of jurisdiction. It appertains to him to secure the observance of the canons of the Church by the whole Christian world, to convoke General Councils, to excommunicate those who will not attend. As the common Father of Christians he can make new laws and propose them to the Church ; but they have not the force of general laws except by the acceptance of his colleagues in the episcopate (170).

The bishops are bishops by divine right : they hold their power immediately from Jesus Christ, and not from the Sovereign Pontiff whose equals they are, except in the primacy, which was established by Christ only to show forth unity (Cyprian). They judge with him in matters of faith and of discipline ; but their jurisdiction is limited by their diocese : whereas that of the Pope has no limits other than those of the Christian world (171).

The complete mutual independence of the spiritual and temporal powers, of Church and State, is very strongly laid down :

The union of the two powers can never be on the principle of the subjection of the one or the other. Each is sovereign, independent, absolute, in that which concerns it. They owe one another a mutual assistance, but by way of concert, not by way of subordination and dependence (188).

To attribute to sovereigns the primacy in matters purely ecclesiastical is to reverse the order which God has established (194).

To subordinate the power of the pastors in its exercise and its functions to the temporal power is to misunderstand it (197).

The King in the civil and temporal order has no superior on earth (204).

To attribute to the Popes a power direct, or even indirect, over the temporals of Kings, is a doctrine unknown to the Fathers of the first centuries, and of which we find no trace in the Gospels (210).

The deposing power is rejected (212, 213).

It is not for Popes to give Kings to the earth, nor for Kings to give Bishops to the Church: if they enjoy the right of nominating those to be raised to prelacies, this is not a primitive right, but a concession from the Church (214).

Jamin speaks at some length on the infallible teaching authority of the Church and its exercise:

We must recognize in the Church an infallible authority which terminates disputes that arise concerning the faith. If there is not in the Church a living infallible oracle, then believe what you please. But if there is in the Church a living oracle, an infallible authority, there is no liberty of choice: one must hold without questioning to the teaching of the Church (216).

Infallibility in dogmatic judgements has been given only to the body of bishops. No particular bishop, not even the Bishop of Rome, may attribute to himself this glorious privilege. Jesus Christ spoke to all the Apostles in common, and in their persons to all the bishops, the promise, 'I am with you, etc.' (218).

To maintain that the right of judging causes which concern the faith appertains only to the Pope or the Holy See, and that they ought to be carried there in the first instance, is a pretension unknown to all antiquity and contrary to the practice of the Church (219).

The Church pronounces on the Faith in many ways: (1) by General Council; (2) by particular Council, when she approves the decision; (3) by the Sovereign Pontiff, when the moral unanimity of the body of bishops accepts his judgement; (4) by the diocesan bishop who condemns an error that arises in his flock, if the censure becomes known and is not blamed by the bishops (220).

A General Council lawfully assembled and held according to canonical rules, represents the universal Church, and in this quality holds its authority immediately from God. All should be subject to it, from the tiara to the lowest clerk, from the throne to the last layman, not only in what regards faith, but also in what regards morals. It is the organ of the Holy Ghost, and its decisions are to be respected as the Gospel itself (St. Gregory Great) (220).

It is not the acceptance which the Church dispersed makes of a General Council that gives certitude and infallibility to its decisions (221).

General Councils are of great utility, and in certain circumstances they may be called necessary ; but to pretend that no controversy can be ended except by their means is an error (222).

The Church in order to decide has not the need to be assembled. Dispersed, but united in the condemnation of new opinions, she merits from her children a submission without reserve. To think that she enjoys the privilege of infallibility only in General Councils is to limit unduly the promises of Jesus Christ and is an error in faith (223).

The dogmatic constitutions of the Sovereign Pontiffs, although they are not irreformable except by the consent of the body of the bishops, are for all that of great authority, and merit on the part of the faithful great respect. If the presumption ought to be in favour of the superior, it is especially in favour of the common Father of Christians : it is therefore criminal insolence to take occasion of his fallibility to despise his decrees (224).

It is permitted without doubt, in certain cases, to appeal from the Roman Pontiff to a General Council, as from a lower to a higher tribunal : but to do so when his decrees are received by all the dispersed churches, is to cloak one's disobedience and to seek to prolong disputes : it is to appeal from the Church to herself (225).

To propose to the faithful a bull of a Pope as having by itself and of its own nature the force to subject to it all minds ; or, to propose it as conformable to the doctrine

of the Church, are two very different things. In the first case it is to profess openly the dogma of the infallibility of the Popes, unknown to the ancient Fathers, and to destroy the rights of the episcopate, reducing the bishops to the simple rôle of executors of the decrees of Rome. In the second case it is to recognize that one does not owe to the Pope's judgements a submission entire and without reserve, save in so far as they are in the analogy of faith; and this can be proved only by the acquiescence of the bishops scattered throughout the Christian world. It is in this latter sense that the Church of France exacts from the faithful submission to the constitutions of the Sovereign Pontiffs (225).

The Pope condemns a number of propositions extracted from a book in determinate terms: the bishops dispersed in the Catholic world know the decision and applaud: I say, 'The Cause is finished'. I recognize the voice of Peter in his successor: I submit, I obey (226).

One cannot without temerity refuse to the Church the power of judging the meaning of books that concern religion. This right necessarily implies on the part of the faithful the obligation of submitting to its decisions (232, 233).

The belief that the Church exacts on dogmatic facts is not a divine faith, which is due only to revealed facts; but a human faith, or to speak more correctly, an ecclesiastical faith, inasmuch as it is founded on the authority of the Church, which has the right to regulate our sentiments on everything that has relation with religion (235).

It is a dogma universally accepted that the Church is infallible in the exposition of tradition. But this infallibility can only subsist by supposing it no less in the discussion and examination of ecclesiastical books; because it is by this examination that the Church makes her discernment of true tradition, and a means liable to error could not lead surely to the knowledge of the truth (236).

Such is an authentic presentment of Gallicanism in the terms of one who held the Gallican theory as it was popularly

held in France during the eighteenth century. It seemed worth while stating it at some length, because Gallicanism is a thing often much misunderstood; and a right undertanding of it is necessary for any just estimation of the Vatican Council.

The doctrine of the Four Gallican Articles of 1682 had to be taught in all theological schools in France. In 1766 a decree was issued that the Statutes and Constitutions of all Religious Orders and Institutes domiciled in France should be registered at the High Court of the Realm. In compliance with this decree the Constitutions of the English Benedictines, three of whose houses were in France, were presented, and the Letter of Registration contains the clause, as a condition of authorization, that the Superiors undertake that the doctrine of the Gallican Declaration of 1682 be taught to all theological students in the houses of the Congregation, and be defended in all public theses and disputations.[4] And so it was everywhere in France.

It would be a mistake, however, to suppose that even in those days the Gallican tenets were held universally in France. In 1724 a Benedictine abbot, Matthieu Petit-Didier, published a *Traité de l'Infaillibilité du Pape*, wherein he said:[5]

> When it is asserted that the doctrine of papal *fallibility* in matters of faith is the opinion of France, at least one-half of the assertion ought to be retrenched. For a very considerable number of bishops and doctors, of pastors and churchmen of every rank, is found throughout the kingdom, who hold the infallibility of the Roman Pontiffs, and their authority and pre-eminence over Councils, to be undoubted truths.

As a case in illustration of this St. Francis de Sales may be mentioned. In his book *Les Controverses* he teaches quite unequivocally the doctrine of papal infallibility.[6]

[4] *Constitutiones*, 1784, p. 266.

[5] I owe this citation to a note in the *Month*, Jan. 1929, p. 64. Of abbot Petit-Didier and his book I have no knowledge.

[6] Annecy edition of the *Œuvres* of St. Francis, Vol. I. p. 305 (1892).

To anyone desirous of understanding the Gallican position may be recommended the section in Ollivier's book, *L'Église et l'État au Concile du Vatican*, ' Système des Gallicans ' (I, iii, § 2). In the following section he traces the gradual decline of Gallicanism in France even before the Revolution. The stiffest upholders of it were the State lawyers and jurisconsults, not the bishops, and still less the clergy, whose Gallincanism tended ever to grow more attenuated. The whole presentation of the subject is made with great knowledge and understanding.

CHAPTER III

# ULTRAMONTANISM

Over against the Gallican conception of the Papacy stood what was called the Ultramontane, the conception held ' over the mountains ', beyond the Alps, in Italy and Rome. It is but natural that the chief upholders of the prerogatives of the Roman See and of the Papacy should have been the Popes : the chief upholders of prerogatives of all kinds are commonly those most intimately concerned. And so it is well recognized that the Popes from early times, and the greatest and best among them the most vigorously—as Leo the Great and Gregory the Great—have asserted the claims and vindicated the prerogatives of their See. And from the time that their position was first definitely challenged in the West at Constance and the Gallican theory formulated ; and still more when the Protestant Reformers went much further and denied the very basis of that position in its entirety, the Popes right up to the Vatican Council went on asserting their claims unflinchingly.

It was in face of the Reformers' denials that the Catholic theory of Church and of Pope was drawn out in scientific theological form, and the treatise ' de Ecclesia Christi ' added to the body of dogmatic theology. The first systematic, and in many ways the most remarkable, presentation of Catholic teaching as against the Protestant Reformers over the whole field of theology, was Cardinal Bellarmine's great work, *Controversies against the Heretics of our Times* (Vol. I, 1586). It is to this day a masterpiece of controversial theology, marked by great knowledge, great thoroughness, great acumen.[1] Its statement of the Ultramontane, that is Roman,

[1] Ollivier's tribute to Bellarmine is worth recording : ' His books are not unworthy of the old Roman jurisconsults, in their precision of language, force of dialetic, range of ideas, abundance of knowledge, loyalty in discussion ' (*L'Église et l'État au Concile du Vatican*, I, 266).

theory of the Papacy may be taken as representative, and may be set forth thus :

[What follows is a mere statement of the theory as held, and is in no way argumentative.]

> Bellarmine's fundamental thesis is that the government of the Church is not a democracy, nor an aristocracy, but a monarchy. The implications of the Petrine texts are that Christ made St. Peter the monarchical ruler of His Church : and the Roman Bishop has succeeded not only to the See, but to the primacy and the prerogatives of Peter, and this by divine ordinance—'iure divino', not merely 'iure ecclesiastico'. Christ is the supreme Head of the Church ; the Roman Pontiff the ministerial Head under Him on earth. The Keys signify supreme power over the whole Church ; so the Pope has absolute power to rule the Church, and can promulgate laws binding in conscience.

So much on his universal jurisdiction ; the power of dogmatic definition will be dealt with presently, after the relation between Pope and General Council. On this Bellarmine lays down :

> It belongs to the Pope to convoke a General Council ; or to sanction its being convoked by another, as the Emperor ; or, it suffices if he afterwards gives his confirmation to what has been done. But if it neither be convoked, nor approved, nor its acts confirmed by him, it is no true General Council, but a conciliabulum. It belongs to the Pope to preside, in person or by a delegate.
>
> The Pope simply and absolutely is above the Universal Church, in that he is the Head of the whole Church on earth ; and so he is above a General Council, and can recognize no judge upon earth above himself. He cannot be judged, punished, or deposed by a General Council, or by any human authority. But should a Pope become a formal heretic he would by the very fact cease to be

Pope, and could be judged and declared deposed by the Church.

Bellarmine's treatment of the question of infallibility is of special interest. Of course the infallibility of the Church is the background of his exposition:

The Pope is supreme judge in deciding controversies on faith and morals. When he teaches the whole Church in things pertaining to faith, he cannot err. Nor can he err in moral precepts prescribed for the whole Church, and relating to things necessary for salvation, or in themselves good or evil.

More than once the actual term ' de cathedra docens ' is used (see Index, ' Pontifex Romanus ') :

It is the Pope's confirmation that gives to decrees of General Councils their authority and authentication as free from error in faith and morals. General Councils may err before the Pope's confirmation has been given, unless in defining they have followed his instructions. The decrees of particular Councils, if confirmed by the Pope, are thereby stamped as free from error.

Of special interest is the answer to the objection : If the Pope can by himself infallibly define dogmas of faith, Councils are useless, or at least unnecessary. Bellarmine replies :

This does not follow. For even though infallibility be in the Pope, for all that he ought not to neglect the human and ordinary means of arriving at a true knowledge of the matter in question : but the ordinary means is a Council, greater or smaller, according to the relative magnitude of the matter in question. Besides, definitions *de Fide* depend principally on the apostolic tradition and the consent of the

churches.[2] But in order that, when a question arises, it may be known what is the mind of the whole Church, there is no better way than that the bishops should come together from all provinces, and each one state the custom of his own Church.

This is strikingly like the preamble to the Vatican definition of Infallibility. And it will be seen that the definitions of the Vatican Council on the Pope hardly go beyond Bellarmine's formulation of the Ultramontane doctrine, and indeed are practically the same as it; so that there has been, it may almost be said, no advance in the three hundred years.

A word should be said concerning the term 'Ultramontane', as designating what was in reality the Roman doctrine. Since the Vatican Council there is no longer place for the term 'Ultramontanism'; because that doctrine of the Papacy has, for all in communion with the Holy See, been stamped as Catholicism, much as at Nicea what had been 'Athanasianism' was stamped as Catholicism. But up to the Council, strictly speaking, it was not so; for the Gallican position was still permissible within the pale of the Catholic Church. It is true that 'Ultramontanism' was in its origin a nickname, like many theological names. But at the time of the Council it was freely used even by its defenders, though sometimes under protest.

It is convenient, indeed necessary, when writing of the Vatican Council, to have some name for the school opposed to Gallicanism; and none other than Ultramontanism is to hand. The upshot of the Council was to identify the Ultramontanism of the Roman theological schools, as formulated by Bellarmine, with Catholicism, Gallicanism being ruled out. Any controversial discussion of the Ultramontane or Roman

[2] 'Ex consensu ecclesiarum.' In sound this is like the Gallican formula; but its meaning is other. The Gallican formula: 'Nisi Ecclesiae consensus accesserit', means a subsequent endorsement on the part of the Church, i.e. the bishops, after the definition has been promulgated. Bellarmine's means an enquiry beforehand, to ascertain the mind of the Church, as the basis of the definition. Perhaps 'ex sensu' would have been clearer than 'ex consensu'.

theory, or any presentation of the line of proof put forward by Catholic theologians, would be out of place here.[3]

[3] Anyone desiring a good concise statement of the Catholic theological position will find it in the article 'Infaillibilité du Pape', in *Dictionnaire de Théologie Catholique*, VII (1923).

M. Ollivier's presentation of the 'Système des Romains', in *L'Église et l'État au Concile du Vatican* (I, iii, § 1), is very clear and good, and has the advantage of being by a writer detached from all theological bias.

[For a modern Protestant evaluation of the New Testament evidence, cf. O. Cullmann, *Peter* (S.C.M. Press, 1953), also *Saint Peter*, by John Lowe (O.U.P., 1956).]

CHAPTER IV

# THE NEW ULTRAMONTANISM

At the beginning of the previous chapter we saw what was the old theological statement of the Ultramontane position as formulated by Bellarmine. We have now to follow the course of a movement that set in, primarily in France, as a reaction from Gallicanism, but also elsewhere, during the nineteenth century: this movement Wilfrid Ward has aptly named 'The New Ultramontanism.' In his book *William George Ward and the Catholic Revival*, cc. v-viii, he gives a masterly presentation of the conflicting currents of ideas among Catholics during the fifty years that preceded the Vatican Council, a perusal of which will greatly repay anyone who wishes rightly to appraise the forces in play at the Council. Another book that may profitably be referred to is Rev. James MacCaffrey's *History of the Catholic Church in the Nineteenth Century*, I, cc. i, viii; II, c. viii. Still, good as these reviews are, he who desires to get into touch with the living movements must perforce read some at least of the actual sources of the history, and their volume is immense: the published lives, memoirs, works, letters, pamphlets, of the leading actors in France would make up a veritable library. I have confined myself to two of these sources, from opposite poles of the controversy: the Lives of Bishop Dupanloup and Abbot Guéranger.[1] Each is frankly partisan, written without attempt or pretence of any impartial judicial presentation of the facts. Still both Lives are richly documented, and each hero was in close personal contact with the leading figures on both sides; so that these two books make the thing alive, and

[1] *Life of Mgr. Dupanloup, Bishop of Orleans*, by abbé F. Lagrange (later Bishop of Chartres); translated by Lady Herbert, 2 vols.
*Dom Guéranger, Abbé de Solesmes*, par un Moine Bénédictin de la Congrégation de France, 2 vols.

suffice for the purpose of this chapter, which is not to tell the story of the French Catholics in the period before the Council, but to account for the heated atmosphere, both inside and out, in which the Council was held.

The Restoration of the Bourbons in 1815 was an attempt just to set up again the 'ancien régime' in State and in Church alike; absolute monarchy in the State, and Gallicanism in the Church. The restored 'émigrés' bishops had been brought up in the Gallican theory, and the Four Articles of 1682 had again to be taught in the theological schools. But the Revolution had shaken to the foundations not only the throne and the old social order, but also the Gallican Church, and there were now strong Ultramontane currents running among the younger clergy and the educated Catholic laity. This movement found eloquent expression in the book *Du Pape* of Count Joseph de Maistre, published 1819. He was not a theologian, but a thoughtful highly educated man of affairs, who had represented the Bourbons at St. Petersburg from 1802 till 1817; his *Soirées de Saint Pétersbourg* was a well-known book in its day.

The *Du Pape* is a strong assertion of the Ultramontane position of Bellarmine: it vigorously controverts the Gallican as represented chiefly by Bossuet and Fleury. But de Maistre's real interest lay not in questions of theology but in practical problems—the reconstitution of the social order in France after the Revolution: and the positive and constructive side of his argument turns on the necessity of union of papacy and throne for the firm re-establishment of a Christian State. He starts from the idea of 'sovereignty', asserting that all sovereignty necessarily implies the acceptance in practice of the ultimate decision of authority, in whatever form of government, as being *right*, in the sense that it must be acted on, and so far forth is 'infallible' in practice: but in the case of the ultimate religious authority such practical infallibility necessarily becomes real infallibility in the full sense of the word. For him religion, Catholic religion, the Catholic Church, is the only stay of society and of an ordered

civil and political system—he has his eye on France ;—and so he argues that the Pope must have on the spiritual side, and in a higher degree, the like position of authority, finality, power, jurisdiction, that he conceives the King to have on the side of temporals. The Pope is so necessary for the well-being of society and civil order, that if Christ had not instituted the papacy, it would be necessary to create it. A strong papacy is the great safeguard of Christian society ; Christianity has no stability without the papacy. And so de Maistre took hold of and emphasized and developed the Ultramontane theory as we have seen it in Bellarmine—monarchical position of the Pope, his universal jurisdiction and supreme authority over all, and his infallibility when teaching *ex cathedra*.

W. Ward (op. cit., pp. 89-92) gives a fuller sketch of the argument of *Du Pape* ; also an account of other French writers of the school. But the only one that need concern us is the famous abbé de Lammenais. He took the Ultramontane ideas of de Maistre, and pushed them to such extremes as made them subserve political ideals the very counter of all de Maistre stood for. He called for the alliance of the Church with democracy, and proclaimed an extreme liberalism. With him were a group of earnest able young Catholics, pre-eminent among whom were the abbé Lacordaire and Count de Montalembert. They started a paper, *L'Avenir* ; their platform may be thus described :[2]

On the religious side it was strongly Ultramontane : Lammenais started from a philosophical theory that ' universal consent ' is the test of truth, and regarded the Pope as the mouthpiece of this universal consent ; he advocated papal absolutism, and urged that the papal power must be accepted as supreme over the regal. In politics the *Avenir* writers proclaimed themselves at once Ultramontanes and democrats. They demanded complete liberty for the Church, and the only way of securing that liberty was by a complete separation of Church and State. They insisted there should be absolute

[2] I have not myself read de Lammenais or the *Avenir* ; the summary is taken from Ward (op. cit., pp. 101-7) and MacCaffrey (op. cit., I, 61-3 II, 448).

liberty of conscience and of the press, that universal suffrage was a right that could not be denied. They denounced the concordat as a betrayal of the Church; they attacked the clergy for consenting to be the paid officials of the State, and the bishops for their attachment to Gallicanism and royalty.

Such teachings naturally stirred up opposition in France and were reprobated at Rome by Gregory XVI as intemperate and in great part erroneous. Lacordaire and Montalembert submitted, but Lammenais apostatized. His influence, which had been immense among the younger clergy, survived in great measure, and was one of the principal forces in the stamping out of Gallicanism.

At this time, the early 'thirties, the state of religion in France was at a low ebb. In most parts the majority of the intelligentzia and of the professional and ruling classes was irreligious and sceptical, without belief in Christianity. But a strong Christian and Catholic revival set in, ever growing in force, associated chiefly with the names of three men: in 1833 began abbé Lacordaire's Conferences in Notre Dame, to which flocked the highest intellect of Paris; in 1835 Montalembert took his seat in the Chamber of Peers, whence his great speeches in defence of religion and of the liberty of the Church resounded through France; and at the same time Frederick Ozanam was founding and propagating the Society of St. Vincent of Paul, a widespread association of laymen who brought religion and practical Christian charity into the homes of the poor: in 1840 he was elected to a chair in the faculty of Literature at the Sorbonne, the ancient Paris University, and here he made his lectures a telling apology for Christianity and the Catholic Church, listened to by crowds of young men.[3] Under the influence mainly of these three great outstanding Catholics a return movement towards Christian belief among intellectual circles was set afoot which waxed stronger and stronger throughout the reign of Louis Philippe (1830-48). Thus a compact Catholic party came into being

[3] We may refer to *Le Mouvement Catholique en France de* 1830 à 1850, by abbé F. Mourret.

under the leadership of Montalembert, with which, though it was small, the politicians and the Government had to count.

The Catholics concentrated their efforts first on winning liberty of education, the right to set up Catholic schools, both primary and secondary, independent of the State and under the full control of the Catholic authorities. On the overthrow of Louis Philippe in 1848, at the election of the President of the Republic, the Catholic vote on the whole supported the candidature of Louis Napoleon; and in return for their support a leading Catholic, the Comte de Falloux, was taken into the new Government and given the portfolios of public worship and education. By his great influence and tact a bill was passed in 1850, securing for Catholics the right of setting up schools, primary and secondary, and the right of teaching therein for all duly qualified Catholics, including the members of the teaching orders, even, after a special battle, the Jesuits. The only limitation was in regard to secondary education, that university degrees could be conferred only by the State university.

This proviso occasioned a lamentable division in the ranks of the Catholics. One party, headed by Louis Veuillot, the combative editor of the principal Catholic organ, the *Univers*, asserted it to be an absolute surrender of principle that the Church should not be able to confer degrees recognized by the State; and urged that an act containing such a limitation could not be accepted by Catholics. The others, Falloux, Montalembert, Dupanloup, maintained that the act gave the Church a very real and substantive good, in that it secured for parents a Catholic education for their children, and that it was the most that could possibly be obtained; therefore it should be accepted and worked to the utmost possible. It is worthy of note that such Ultramontane stalwarts as Abbot Guéranger and Mgr. Pie, Bishop of Poitiers, took this view and pressed the *Univers* writers to withhold their opposition; the Papal Nuncio in Paris urged the same; finally Pius IX himself said that the law, while falling short of all that could be desired, still did confer a great boon and should be used by the Catholics, and he made an urgent appeal for healing the

divisions among the Catholics of France.[4] For all that, in spite of Nuncio and Pope, the *Univers* continued obdurate, and it pursued with a bitter invective those French Catholics who advocated the acceptance of the law, Montalembert above all.

The irreconcilable and intransigent attitude of the *Univers* writers over the education act and other issues split the French Catholics into two vehemently opposed camps that lasted until the Council, and longer, to the irreparable damage of the cause of Catholicism and religion in France. These feuds were also without doubt a principal cause of the heat, and even animosities, that surrounded, and indeed found entrance into, the Council.

The questions at issue in France were much more politico-social than theological—theories of government and the relations between Church and State. On these issues of the practical order there existed among the French Catholics a liberal party and an intransigent party ; and these same parties grew up, with modifications, throughout the whole Catholic world. Naturally, in France the names ' Gallican ' and ' Ultramontane ' came to be affixed to the respective parties, and were freely bandied about ; but they were in reality nicknames. The liberal Catholics were not, as such, Gallicans : Montalembert in a letter to Guéranger declares that he ' detests ' Gallicanism, the Four Articles of 1682, the Organic Articles, and the rest ; nor, as we shall see, was the foremost leader of the party, Bishop Dupanloup, a Gallican, though freely called such. The idea the liberals stood for was to christianize and catholicize modern society and the modern State, without repudiating or combating the democratic idea or the principles of political liberalism. They recognized that the work of the French Revolution could not be undone, and that the modern State with its new ideas of polity, freedom, had come to stay. They believed that the Church could embrace and assimilate the modern State just as well as she had the feudal State, and also in great measure modern social and political ideas. These men held that the principles of 1789—Liberté, Égalité, Fraternité—were capable of a good

[4] *Guéranger*, I, 426 ; II, 10 ; cf. *Dupanloup*, I, c. xxviii.

Christian meaning, and could be applied to the conditions of a sound modern State and society. Their idea was to 'baptize the Revolution', exorcizing the evil elements in it; their endeavour was to control and guide on to right lines the new democratic political and social ideas, rather than to reject them root and branch.

To the other school, the irreconcilables, this was a betrayal in principle, and a delusion in fact. Modern society and all the political and social ideas let loose by the Revolution were so incurably vicious that nothing could be hoped for from them, and there was nothing for good Catholics to do but to stand aloof and protest and reassert uncompromisingly the principles that had held sway in the times when Europe was Catholic. For the present, things could only be left to run their course, and society, after plunging through evil upon evil, might be hoped at long last to find salvation by a return to the polity of olden times.

An article of the *Univers* affords a sample of the politico-religious ideas championed by Veuillot and his school:

> Society is on a sewer—it will perish—with the debris of the Vatican God will stone the human race. These stones of the Vatican will roll through the world, crushing thrones and dwellings, even to the tombs. There are no more Catholic Princes in the world. Well, O Church of God, leave them, and turn to the democracy. The democracy baptized will do what the monarchies have not done. Peter has heard the voice, 'Launch out into the deep': the fisher of men will cast his great nets. The multitude of the nations will form one universal confederation under the presidency of the Roman Pontiff, a holy people, as there was a Holy Empire.[5]

This serves to show the sort of thing that Catholic statesmen, such as Falloux, Montalembert, Dupanloup, Darboy, were faced with. The Lateran Treaty is a curious commentary on such dreams.

It will be in place to introduce here the great personality of

[5] *Univers*, July 11, 1868; cited by Dupanloup in the *Avertissement*.

Bishop Dupanloup, one of the most outstanding figures of the period and of the Council. Born in 1802 in Savoy, he entered St. Sulpice and was ordained priest in 1825. He first came under the public eye as the one who brought about the reconciliation of Talleyrand on his deathbed. As a young priest he used to fill the Madeleine by the wonderful catechism classes that attracted the children and young people of all grades. As Rector of the Episcopal college of Paris he raised it to the very first rank among the colleges and lycées of France, and so became a recognized educational authority, and as such was on the commission that prepared the Falloux law of 1850. After being Vicar General of Paris and Canon of Notre Dame, he became in 1849 Bishop of Orleans. Until the end of his long life, 1878, he proved himself in every aspect of episcopal duty a truly apostolic bishop. And by his eloquent powerful sermons and addresses, his books, and his enormous output of telling pamphlets on all the great religious questions that arose in France, he became a notable public man, able to influence the Government and the nation at large. He could conciliate such men as Guizot, Thiers, even Victor Cousin, and win them over to support great Catholic causes. His fearlessness enabled him to beard the Government and even the Emperor himself; once he drew upon himself a state prosecution. He soon became the chief Catholic champion in all public controversies, the recognized spokesman of the bishops, the most prominent bishop in France, and one of the most prominent bishops of the whole Catholic world. His attitude to the papal question is of special interest for us. The particular point of the infallibility will be spoken of in a later chapter: but in the matter of the Pope's temporal sovereignty and of the Papal States he was the Pope's great champion in France, asserting in speech and pamphlet in the most uncompromising terms not only the Pope's right to the hereditary States of the Church, and the injustice and revolutionary character of the moves to despoil him of them; but also their theoretical necessity for the Pope's freedom of action in the spiritual government of the Church, and this with a fullness and absoluteness hardly

heard nowadays: indeed, put out of date by the Lateran Treaty. He it was who more than any other worked up Catholic opinion in France to such a pitch of protest in 1860, when with the connivance of the French Emperor the Piedmontese had annexed all the Papal States except the Patrimony or territories around Rome, that the Government was forced to yield and to keep the French troops holding Rome and the Patrimony for the Pope from 1860 till 1870. It is hardly too much to say that the prolongation of the reduced temporal sovereignty of the Pope for these ten years longer was the achievement of Dupanloup.

Nor was Pio Nono unmindful of it all. He appreciated and thanked him time after time for his efforts in behalf of the temporal sovereignty, and in behalf of all the great religious issues so often at stake in France, which he ever defended with power and success, in that he, more than any other, could reach the ear and the intelligence of the French public. And the Pope used often to turn to him to use voice and pen in defence of these great causes. A whole volume, near three hundred pages long, has been printed, made up of the rescripts and letters of Pius IX to Dupanloup in recognition of his manifold services to religion.

What must appear strange is that this was the man beyond all others persistently and violently attacked by the intransigent and irreconcilable section of the French Catholics, whose organ was the *Univers*, and whose protagonist was its editor, Louis Veuillot. What is stranger still is that Ozanam was similarly attacked in the *Univers* in 1840 and 1850, for preaching moderation: Veuillot charged him with cowardly desertion, weak compliance, timid silence, false flattery, and so on:[6] Ozanam, who is universally looked on by Catholics as a Christian hero, a great apostle of Christian charity, and as having in him much of the stuff that makes a saint. Again, Lacordaire: he was probably the most liberal of the group of French liberal Catholics—his wish was to die a penitent Catholic and an impenitent liberal. But now that he is well known by his Letters and his Life—who thinks of him as

[6] *F. Ozanam in his Correspondence*, by Mgr. Baunard, trans., pp. 214, 305.

anything else than a real Christian hero, who effected a great work of religious renovation in France ? In fact, whatever was achieved in France in those days for Pope, for Church, for religion, was in far greatest measure achieved by these men, Lacordaire, Montalembert, Ozanam, Dupanloup, Falloux. And this is now recognized. In 1928 the Lenten preacher in Notre Dame of Paris, was Mgr. Baudrillart, Rector of the Institut Catholique, and recently made titular archbishop. Reviewing the religious revival in France he named as the Catholic protagonists of the movement in the middle period of the nineteenth century, Lacordaire, Montalembert, Ozanam, Veuillot, Dupanloup, de Broglie, Falloux, Cochin—' liberals ' all, with the single exception of Vueillot.[7]

It is time to speak of Pius IX. He held a quite over-mastering personal position throughout the Catholic world, such as none of his predecessors for many long centuries had held. In the *Life of Bishop Ullathorne* (II, 297) I have tried to sketch the cause of this influence ; but two chapters (xvi, xxviii) of Wilfrid Ward's *Life of Cardinal Wiseman* afford an admirably clear account of the first twenty years of the pontificate. When he ascended the papal throne in 1846, after the reactionary reign of Gregory XVI, he was acclaimed as the liberal Pope, a sympathizer with Italian national sentiment. He set up a representative government for the Papal States, which was welcomed with enthusiastic acclamation by the people.[8] But the revolutionary element would not have it ; the Pope's Prime Minister, Count de Rossi, was poignarded entering the Chamber ; the revolution broke out ; the Roman Republic was proclaimed ; the Pope was imprisoned in the Quirinal and had to escape from Rome in disguise, aided by the French Ambassador (1848). He found an asylum at Gaeta, in Neapolitan territory, where he stayed for a year, till restored to Rome by a French army, despatched, be it said, through the efforts of the Catholic liberals, Falloux and Montalembert.

[7] *Tablet*, 1928, April 14, p. 506.

[8] Ozanam was in Rome and describes the great ovation given to the Pope (F. *Ozanam*, Baunard, p. 245).

Pio Nono's attempt to establish constitutional government in his States, and the amnesty to political prisoners, had won general admiration ; one of the London papers acclaimed him as ' the most enlightened sovereign of the age '. But after his well-intentioned efforts at conciliation had been deliberately wrecked by the revolutionary elements in Rome and in Italy, and after he himself had tasted the Revolution and had been forced to flee from his City and See of Rome, it can cause no surprise that he came back cured of all liking for liberal institutions. 1848 was the year of revolutions in most countries of Western Europe, and the revolutionary movements in most places, and especially in Italy, were strongly anti-clerical, anti-Catholic, anti-Christian, anti-religious. In the presence of this spirit of revolt the Pope had again and again to raise his voice ; and at frequent intervals throughout his reign were issued protests against the rationalistic and materialistic philosophies then greatly in vogue ; against the subversive social and political theories of the revolutionaries ; against religious indifference and anti-religious legislation ; against the seizure and spoliation of the Pontifical States ; against the multitudinous errors of the time concerning society, polity, law.

The issuing in 1864 by the Cardinal Secretary of State to the Catholic bishops, of a Syllabus or list of eighty propositions that had been condemned in some thirty such pontifical utterances of Pius IX, raised a storm of unprecedented fury in all quarters hostile to the Church and the Papacy. When these propositions are now read and pondered in a calmer atmosphere, it will probably be recognized that fully half the condemned errors must appear monstrous to any Catholic, and indeed to anyone who accepts a Christian basis of society. But the secular and anti-Catholic press seized upon the Syllabus as a declaration of war upon modern civilization, society, and thought, as the ' definitive divorce of the Church from the modern world '.[9] Some journalists so far lost their heads as

[9] The best account of the Syllabus in English is Wilfrid Ward's *W. G. Ward and the Catholic Revival*, c. x. But by far the best account is that by the French non-Catholic statesman Émile Ollivier, in *L'Église et l'État au Concile du Vatican* (I, c. iv. §§ iii, iv), to be spoken of below, Chapter VI.

to say the Pope had condemned all the discoveries of modern science and industry, railroads, electric telegraphs, photography, and was about to suppress all such things in the small territory left to him, together with steam engines and gas light.[10]

The eightieth and last censured proposition was the one that above all gave occasion to such notions. It ran: 'The Roman Pontiff can and ought to be reconciled to, and come to terms with, progress, liberalism and modern civilization.' Bishop Ullathorne had to deal with this proposition in his reply to Mr. Gladstone's attack on the Vatican Council in 1874; he did so by the simple method of quoting the full context at length from the Allocution of 1861 from which the proposition was taken: the true meaning of the various propositions was to be ascertained from the contexts of the original documents from which they had been culled. I have given the piece in full in the *Life of Bishop Ullathorne* (II, 94-9); anyone who reads it will, I venture to think, agree that the Pope could not come to terms with the kind of progress there held up to reprobation: I add, however, that as a piece of indexing, this proposition, thus out of its context, was singularly unfortunate.

The one to stand up in defence of the Pope and in vindication of the Syllabus from the extravagant interpretations placed on it by the world at large, was Dupanloup, who issued a pamphlet exposing the erroneous meanings attached to various of its propositions. This vindication was a work of first importance, and brought to its author letters from no fewer than 630 bishops in all parts of the Catholic world, congratulating and thanking him for the pamphlet. The Pope too wrote thanking him for having 'exploded the calumnious interpretations' laid upon the Syllabus. The secular press cried out that Dupanloup had 'denaturalized' it, explaining away its plain import, and watering down its force: and, what is remarkable, the extreme section of the French Ultramontanes joined in the cry, and acclaimed the Syllabus as the formal and final condemnation of the modern State. The

[10] So a Piedmontese paper.

writer of the Life of Guéranger uses language that makes it seem as though he held that according to the Syllabus only an absolute monarchy, like that of the ' ancien régime ', could be fully according to the mind and teaching of the Catholic Church, all kinds of representative government being ruled out. Veuillot definitely endorsed the saying, ' the parliamentary system rests on an heretical principle '.[11] These men pressed to their extreme limits the terms of the Syllabus, and urged that not merely the revolutionary liberalism, but liberal principles of every grade and shade, fell under the condemnation of the Syllabus : there can no more be, they said, any kind of good liberalism, than any kind of good Protestantism. And these controversies among the French Catholics were carried on with the lack of restraint, the violence of language, and the bitterness, that too often mark such controversy, religious or political, in France.

The questions thus in agitation in France were of the religious-political order, rather than of the theological ; they were questions of the relations of Church and State, of kinds of government, of theories on the ideal rights of the spiritual power in face of the civil. The slogan, dear to Montalembert, ' Free Church in Free State ', called forth vehement denunciation. It is strange, how remote, after seventy years, the whole thing appears to us. Catholics in the United States, in England, Ireland, Australia, and many other countries, have all this time been living under actual conditions of Free Church in Free State ; they do not concern themselves much with questions of theory, whether this be the ideal ; but they know that under such conditions the Catholic Church functions freely and thrives exceedingly : and recent Popes have more than once expressed their satisfaction with the result.

[11] It is curious to note how, though religiously poles asunder, L. Veuillot and M. Maurras of the *Action Française* are in agreement that representative government is against the principles of the Catholic Church, and that only a non-parliamentary monarchy is properly according to her mind ; and also to observe how conservative circles among the French Catholics rallied, then and now, to this idea. It is needless to say that any such idea has been strongly repudiated by Leo XIII and subsequent Popes. There is an instructive article in the *Dublin Review* of January 1927, by abbé Lugan : ' How Politics has injured Religion in France.'

All this business of the Syllabus was very much alive during the Council, though not coming to the surface. We shall have to revert to it hereafter (Chapter XVII).

If in France the new Ultramontanism had a practical and political character, versed largely in questions of social order and church life, elsewhere the conflict between Ultramontanes and liberals took on other shapes. In England, for instance, it was more theological in character, turning on the question of infallibility, and is therefore more directly concerned with the Vatican Council. W. G. Ward was the protagonist of the English group of extreme Ultramontanes. He was one of the first Oxford converts of 1845, a man of great intellectual power, an original and profound thinker in matters of philosophy and ethics. His interests lay, too, in theological and religious questions, and here he was prone to adopt positions of extreme intransigence. I have tried to depict Ward's mentality in the *Life of Bishop Ullathorne* (II, 305-8). In 1863 he became owner and editor of the *Dublin Review*, and he at once embarked on a vigorous Ultramontane campaign, concentrating above all on the question of infallibility. In this he went far beyond the positions laid down by Bellarmine, which had become the accepted theses of the Ultramontane theological schools as to what were to be accepted as infallible pronouncements of the Pope or infallible teaching of the Church. I had occasion when writing the *Life of Bishop Ullathorne* (II, 41-4) to describe Ward's positions; so I make no apology for reproducing the sketch here:

> For him, all direct doctrinal instructions of all encyclicals, of all letters to individual bishops and allocutions, published by the Popes, are *ex cathedra* pronouncements and *ipso facto* infallible. He was not directly concerned with the Gallican controversy—whether the organ of infallibility be the Pope alone, or Pope and episcopate; his contention was concerned, as he expressed it, not with the 'subject' of the infallibility, but with the 'object', the kind of pronouncements to which it extends. He held that the infallible element of bulls, encyclicals, etc., should not be

restricted to their formal definitions, but ran through their entire doctrinal instructions; the decrees of the Roman Congregations, if adopted by the Pope and published by his authority, thereby were stamped with the mark of infallibility; in short, 'his every doctrincal pronouncement is infallibly directed by the Holy Ghost'. Pusey in the *Eirenicon* not unjustly objected that such a doctrine of infallibility went far beyond the inerrancy in defining matters of faith or morals guaranteed to the Pope by the special assistance of the Holy Ghost, as laid down by the standard Catholic theologians, and, in fact, practically amounted to inspiration: indeed Ward held explicitly that infallibility often amounts to 'a new inspiration', instancing the condemnation of the Five Propositions of Jansenius (*Dublin Review*, October 1869, p. 479). He did not shrink from saying that bulls, as the 'Quanta Cura' of 1864, were to be accepted 'as the Word of God'.[12] Thus he utterly rejected the idea that infallible pronouncements are few and far between, or need to be marked by the solemnities and conditions laid down by the theologians, or require any theological tribunal to declare them *ex cathedra* or interpret their meaning. On the contrary they bore their *ex cathedra* character on their face, and any man of good will and ordinary intelligence could recognize them and understand their import, and was immediately bound in conscience under pain of mortal sin to accept their teaching with full interior assent. Thus Ward's attitude to encyclicals and allocutions was much like the Protestant attitude to the Bible. For him the eighty propositions of the Syllabus were 'beyond question the Church's infallible utterance'; and not only so, but the thirty encyclicals and allocutions from which the propositions were culled were all thereby shown to have been *ex cathedra* in their entirety.

And not only did he urge with merciless logic and great vehemence of language his own view as to the infallible character of this enormous and quite indefinite mass of

[12] It will be seen in Chapter XXVII how far from such ideas stand the theologians since the Council.

*ex cathedra* teaching, to be dug out from the Bullarium and Papal Acta of the past; he insisted with uncompromising assurance that his view was the only Catholic one, and must be accepted as the Catholic Faith necessary for salvation, only invincible ignorance excusing from mortal sin.

The novelty of such ideas was made manifest before the Council. Just at its beginning one of the most prominent of the French Ultramontanes, Abbot Guéranger, published a tract, *La Monarchie Pontificale*, in which, answering the objection that a flood of infallible pronouncements might be expected, he laid down the tests of an *ex cathedra* utterance, which, he said, were unmistakable: The Pope must manifest his decision to the whole Church, declaring his intention of pronouncing on the question of faith or morals, and commanding the submission of faith, qualifying with the note of heresy the opposite opinion, and fulminating an anathema against those who should hold it for the future.[13]

Reviewing this tract in the *Dublin Review*, and one of like tenor by another foremost Ultramontane, Mgr. Dechamps, Archbishop of Malines, Ward declared such limitations on the scope of *ex cathedra* pronouncements to be unduly narrow, and inadmissible—'minimizing'—yet the two tracts, each of them, received a special warm commendation from the Pope! Fr. Perrone, the great Jesuit theologian in Rome at the middle of the century, had laid down the same tests and limitations: An *ex cathedra* decree is one whereby the Pope lays down something for the Universal Church to be held by faith, or to be rejected as contrary to the faith, under penalty of censure or anathema.[14]

Whatever his intransigence, Ward was a theologian; Louis Veuillot was not—he was a journalist without theological training, and he strained the idea of the Pope's infallibility beyond all theological bounds. He treated it as 'inspiration': 'We all know certainly only one thing, that is that no man knows anything except the Man with whom God is for ever,

[13] Op. cit., pp. 245-51.
[14] *Praelectiones Theologicae*, 'de Romano Pontifice', c. iv.

the Man who carries the thought of God. We must unswervingly follow his inspired directions.' Writing from Rome during the Council Veuillot thus posed the question: 'Does the Church believe, or does she not believe, that her Head is inspired directly by God, that is to say, infallible in his decisions regarding faith and morals?'[15] Consonant with such ideas is what I myself heard a survivor of the Veuillot school say: he did not like the definitions of the Council being spoken of as having been put into shape by the discussions at the Council; 'it is much simpler to think of them as whispered directly by the Holy Ghost into the Pope's ear.' Again, Veuillot said: 'We must affirm squarely the authority and omnipotence of the Pope, as the source of all authority, spiritual and temporal. The proclamation of the dogma of the infallibility of the Pope has no other object.'

As the Council drew near there found place in the *Univers* an almost unbelievable exuberance of quite untheological devotion to the Holy Father, sometimes bordering, it seemed to many, on blasphemy; as when for the Holy Ghost was substituted the Pope in the verse of the sequence 'Veni Sancte Spiritus', thus:

À Pie IX, Pontife-Roi:
*Pater pauperum*
*Dator munerum*
*Lumen cordium*
*Emitte caelitus*
*Lucis tuae radium!*

Or when the Nones hymn, 'Rerum Deus tenax vigor', was paraphrased:

*Rerum* PIUS *tenax vigor,*
*Immotus in te permanens,*
*Da verba vitae quae regant*
*Agnos, oves, et saeculum.*

Again: À Pie IX qui représente mon Dieu sur la terre:

[15] *Rome pendant le Concile*, II, 50

Iste Deus meus et glorificabo eum, Deus patris mei et exaltabo eum!

Hebrews vii, 26 was applied to him: Pontifex sanctus, innocens, impollutus, segregatus a peccatoribus, et excelsior caelis factus.

'The infallibility of the Pope is the infallibility of Jesus Christ Himself'; 'When the Pope thinks, it is God who is thinking in him'—this last from an Italian Ultramontane source: 'Quando egli medità, è Dio che pensa in lui.'[16]

Of course no trained theologian would accept such aberrations. Still the excesses of the New Ultramontanism, whether Veuillot's entirely untheological extravagances, or Ward's undue straining of infallibility beyond the traditional teaching of the Catholic Ultramontane schools, or the extreme interpretations of the political and social import of the Syllabus, as being a condemnation of modern constitutional forms of government, did exercise a profound influence on the atmosphere in which the Council was held. It is to be understood that they were not the isolated extravagances of a few extremists. The *Univers* wielded a widespread influence in France and had a great backing among the clergy. Ward's views were upheld in England by theologians as Fr. Knox; and Archbishop Manning was more than disposed to accept them.[17] In other countries too, Italy and Germany, the New Ultramontanism was a very living force. This it was principally that caused the bitter hostility of the whole non-Catholic world, and the fears of the Governments of the Catholic States. This too was one real cause of the action of the Minority bishops in opposing the definition—they were afraid of the kind of infallibility that might be defined. As will appear, what was defined was the old theological Ultramontane doctrine of Bellarmine.

At the close of this chapter it is again opportune to recommend Ollivier's account of the religious movements in France,

[16] The *Civiltà Cattolica*, which ought to have known its theology better!

[17] *Life of Bishop Ullathorne*, II, 44; he did not urge such views during the Council.

op. cit., I, iii, § 3, and first half of c. iv. In justice to Louis Veuillot may be cited Ollivier's summing up. After commenting on his harshness to persons and his tendency to extremes, he says : 'Néanmoins et quoi qu'on en ait dit, l'éclat, l'audace, la puissance, la supériorité, la persévérance de la polémique de M. Louis Veuillot, ont été d'une manière continue plus utiles à l'Église que n'ont pu lui être nuisibles à certains moments, l'exagération des thèses et la cruauté des attaques personnelles ' (l.c., p. 304).

CHAPTER V

# PREPARATIONS AT ROME[1]

On December 6, 1864, two days before the publication of the bull 'Quanta Cura' and the Syllabus, at a meeting of the Congregation of Rites, Pius IX caused all officials to withdraw, and spoke to the Cardinals alone. He manifested to them an idea that had long been in his mind: that it would be for the good of the Church to hold an œcumenical Council, so as to provide in this extraordinary way for the extraordinary needs of the Christian flock. Let the Cardinals study the project, each one by himself, and then submit in writing what seems good in the Lord: all under the strictest secrecy. This was addressed to the Cardinals in Curia, those resident in Rome. There were in all twenty-one responses.[2] Two were definite negatives, and half a dozen more expressed grave doubts and hesitations as to the prudence, possibility, opportuneness, of holding a Council at the time. The majority pronounced in favour. They considered there was need of a clear statement of Catholic doctrine on points impugned or controverted, together with condemnations of current errors; it should be considered whether the changed conditions of the Church did not call for changes in discipline, and whether certain relaxations of ecclesiastical laws would not secure a better observance; there was need, too, of improvements in the education and instruction of the clergy, and of a general raising of the level of clerical life among seculars and regulars

[1] The documents connected with this chapter are in Mansi, I (49); the more important also in *Collectio Lacensis*, VII (*Lac*), 1013-67.

[2] They are printed in Mansi, l.c., 9-94. Granderath, *History*, gives a summary that is very full (I, Bk., i, c. 3); Manning a more concise one, *True Story*, c. i.

alike. Several thought that the Council might pave the way for the return to Catholic unity of those separated, either in doctrine or in communion, and also for renewed vigour in the Missions to the Heathen. Only two of the Cardinals made any reference to the defining of the Pope's infallibility.

A Commission of five Cardinals was set up to deal with all things relating to the Council. It got to work at once, and passed resolutions, approved by the Pope, to the effect that the convocation of an œcumenical Council was highly desirable and opportune; that the Catholic Sovereigns should not be consulted beforehand, but simultaneously with the announcing of the Council the Holy See should do what was proper in their regard; that a number of representative bishops of different nations should be invited to submit a summary of the matters that they thought ought to be dealt with at the Council.

At the end of April, 1865, a letter was despatched, under strict secrecy, to thirty-four bishops of the Latin Church, chosen by the Pope; and soon after to certain bishops of the Oriental Uniat Churches. It disclosed the fact that the Pope had in mind the convoking of an œcumenical Council and called on these bishops severally to draw up a summary of the matters that they thought should be dealt with at the Council.[3]

The names of these bishops would at present be mere names, but many of them will be familiar figures as the story of Council goes on. Suffice it to say that among them were Cardinal Pecci of Perugia (Leo XIII), Manning, and Dupanloup. The responses of the bishops are printed in Mansi (l.c., 107-202), followed by a long Report summarizing the views contained in them (202-238); this Report is in turn summarized by Granderath (1, Bk. i, c. 4). Some, perhaps six or eight, while recognizing the good that could be done by a Council, still doubted as to the prudence, and even the possibility, of holding one in the existing disturbed state of the world, and advised postponing the project: among these was Dupanloup. But the majority was favourable to the Council.

[3] Mansi, l.c., 105; *Lac* 1017.

The general sense of the selected bishops was that the principal errors current should be dealt with and condemned : pantheism, naturalism, rationalism, socialism, communism, spiritism, religious indifference ; also the modern Protestant and rationalistic teachings in regard to the inspiration of the Sacred Books, their authority and interpretation. They thought that the great principles of Theism and of the Christian dogmatic system should be reasserted, including the idea of the Church, the Roman primacy and prerogatives, eight adding the infallibility of the Roman Pontiff teaching *ex cathedra*. They thought that one of the aims of the Council should be the recalling heretics and schismatics to the bosom of the Catholic Church. In matters of discipline : the raising the life of clergy, and the recalling the religious Orders to a better observance and especially to the practice of common life (' vita perfecte communis '). Other things proposed were the drawing up of an official Catechism for universal use ; the promotion of the Christian life by missions, spiritual exercises, sodalities ; the reform of the canon law ; and on the relations of Church and State some urged the necessity of receiving in fact, as tolerated, liberty of worship and of the press, and called for a pronouncement that the exigencies of the Church are not incompatible with the political needs of the present time.

Political events, especially the war between Austria and Prussia, interfered with the progress of the Council for nearly two years, and it was not until a great assembly of the bishops of the entire Catholic world, all invited to Rome for the eighteenth centenary of the martyrdom of the Apostles Peter and Paul, June 29, 1867, that the Pope made the public announcement of the Council.

From the *Life of Dupanloup* (11 c. xvi) it seems that up to the very eve of the celebration the Pope's mind was not definitely made up as to the public announcement, and that Dupanloup now encouraged him to proceed. He went to Rome the middle of May, and at his first audience, on his speaking in this sense, Pius said : ' But you were not of this opinion two years ago.' ' It is true, Holy Father, I did hesi-

tate at first, but now I no longer hesitate ' ; and he presented a memorandum in favour of holding the Council. It concluded :

> My conviction is that the forthcoming Council in Rome will present to the whole world the imposing spectacle of five or six hundred bishops, gathered from all points of the compass, and firmly united in one faith on all the great questions which interest humanity.

The Pope himself was strongly inclined to the Council, but among the Cardinals and others at Rome there were grave hesitations, and in particular Cardinal Antonelli, the Secretary of State, was opposed to it, fearing opposition and difficulties on the part of the Governments. With these, and with many of the French bishops, Dupanloup put forth all his powers of influence to win them over to the idea of the Council. Soon it became apparent that the Council gained very general support, and the Pope hesitated no longer. Thus on June 18 Dr. Ullathorne wrote to his secretary :

> I have great news, so keep this as a memorandum of history. The Bishop of Orleans (Dupanloup) has just been here and tells us that all is prepared for the General Council. The Pope will announce it in his Allocution on the 26th. The bishops of all nations are strong in its favour. It is contemplated at present to open on the Immaculate Conception of 1868. It is calculated to last six months, and a great congregation will prepare the way for it six months beforehand. The Pope will summon theologians to this preparatory congregation by name from all nations. The great work will be the reform of the canon law, much of which is now in an impracticable shape ; but discipline and doctrine will both be taken in hand.

Accordingly, in Public Consistory on June 26, in his Allocution to the five hundred assembled bishops, Pius IX proclaimed the coming Council, ' in order to bring

necessary and salutary remedies to the many evils whereby the Church is oppressed '.[4]

A congratulatory address had to be presented by the bishops thanking the Pope for the Allocution and expressing approval of the project of the œcumenical Council. An account of the drawing up of the Address is given in the *Life of Dupanloup* (II, c. xvi). A general meeting of bishops first was held to lay down the general lines. ' An English prelate '—without any doubt Manning—advocated a fighting manifesto, ' wounding in order to strike home.' But the presiding Cardinal ruled that the tone should be moderate, so as not to create trouble with their Governments for the French and Italian bishops. It was in reference to this episode that Ullathorne wrote : Grenoble [Bishop Ginoulhiac] said to me, coming to me in a fury against our friend [Manning] in the Consistory of 1867 : *Ce n'est pas le temps de casser les vitraux*.[5]

It proving impossible to draft an address at so numerous a gathering, a committee of seven was appointed, the outstanding names being Haynald, Archbishop of Kalocsa, Hungary, Manning and Dupanloup. The drafting was entrusted to Haynald, a consummate Latinist. When his draft was read the word ' infallible ' occurred three or four times. No objection was raised by the committee, but Dupanloup proposed that the draft be given to Franchi (later Cardinal) to revise, and when the revision was read the word ' infallible ' had disappeared, it was supposed through Dupanloup's influence. Manning now urged that either the word be restored, or else the decree of Florence on the Primacy be inserted. There was general agreement that to use the word ' infallible ' was undesirable, as seeming to forestall the Council ; Dupanloup opposed the introduction of the decree of Florence ; but Manning insisted and got his way.[6] It is certain that on this occasion a hot passage of arms took place between Manning and Dupanloup (see Ullathorne's letter,

[4] Mansi, l.c., 243 ; *Lac* 1029.

[5] See below, p. 123.

[6] The details are from a document in App. to ed. 4 of Ollivier's *L'Église et l'État au Concile du Vatican*, II, 601 ; cf. Manning, *True Story*, p. 52.

below, p. 123). The address as finally agreed to by the committee was signed by the five hundred bishops and presented to the Pope on July 1.[7] To the matter-of-fact English mind it sounds flamboyant, effusive, and even adulatory. But Pio Nono was a very old man, and in a wonderful way the object of Catholic affection, sympathy, admiration, enthusiasm.

The most significant passage was this :

> We profess that our great concern and desire is that we may believe and teach what Thou dost believe and teach, and that the errors Thou dost reject, we also may reject ; that under Thy leadership we may walk with one accord in the ways of the Lord, and that we may follow Thee and work with Thee. . . . Thy mouth has never been silent. Thou hast deemed it to belong to Thy supreme office to proclaim the eternal truths, to smite with the sword of apostolic speech the errors of the age, to dissipate the fogs of novel doctrine, and intrepidly to utter, to persuade, to enjoin what is necessary alike for individual men, for the Christian family, and for civil society : so that at length all may know what it is that a Catholic should hold, retain, and profess.
>
> Believing that Peter speaks by the mouth of Pius, what Thou hast said, confirmed, uttered for the safeguarding of the deposit, we also say, confirm, proclaim ; and with one voice and soul we reject all that Thou hast judged to be reprobated and rejected. For we fully accept what the Fathers of the Council of Florence defined in the decree of Union : That the Roman Pontiff is the Vicar of Christ and Head of the whole Church, and Father and Teacher of all Christians, and to him in Blessed Peter has been given by Jesus Christ full power of feeding, ruling, and governing the universal Church.

Though the word ' infallible ' did not occur, the above piece came very near to an implicit recognition of the Pope's infallibility. So it is worthy of note that the two who had

[7] Mansi, l.c., 247 ; *Lac* 1033.

the chief hand in drafting the Address, Haynald and Dupanloup, were at the Council foremost opponents of the defining of the doctrine: as also were several of the signatories, as Cardinal Mathieu, Archbishop of Besançon, Darboy, Ginoulhiac, Simor, Melchers, Ketteler, Strossmayer, Kenrick, Clifford, and others whose names will become familiar in the sequel.

The Address was presented July 1, and the Pope in his reply said definitely that the Council would be convoked, but fixed no date.[8] The bull of Indiction was not issued for another year, June 29, 1868, the date fixed being the Feast of the Immaculate Conception of the Blessed Virgin, December 8, 1869.[9]

It ran:

> It is at this time evident and manifest to all men in how horrible a tempest the Church is now tossed, and with what vast evils civil society is afflicted. For the Catholic Church, with its saving doctrine and venerable power, and the supreme authority of this Holy See, are by the bitterest enemies of God and man assailed and trampled down; all sacred things are held in contempt, ecclesiastical possessions spoiled, and the ministers of holy things harassed in every way; the religious orders suppressed, impious books and pestilent periodicals and manifold and most pernicious sects diffused on every side. So that not only our holy religion but human society itself is plunged in an unspeakable state of disorder and suffering.
>
> Wherefore we have judged it to be opportune to bring together into a General Council all our venerable brethren of the whole Catholic world, who have been called to share our solicitude. In this œcumenical Council must be examined with the greatest accuracy, and decreed, all things which in these difficult times relate to the greater glory of God, the integrity of the faith, the gravity of divine

[8] Mansi, l.c., 261; *Lac* 1042.

[9] Mansi, l.c., 1249 (in tome 50); *Lac* 1: see Manning, *True Story*, p. 63; Ollivier, *L'Eglise et l'Etat*, c. i.

worship, the eternal salvation of men, the discipline of the secular and regular clergy and its wholesome and solid culture, the observance of ecclesiastical laws, the amendment of manners, and the instruction of Christian youth. And with most intent study, care must be taken that all evils may be averted from the Church and from civil society.

Meantime during the winter of 1867-68 the preparations were going forward at Rome. At the beginning, in 1865, a special ' Directing Congregation ' or ' Central Commission ' of Cardinals had been set up for the affairs of the coming Council. This congregation had resolved that five subsidiary commissions should be formed, to prepare the material for the Council: viz.,

on faith and dogma
on ecclesiastical discipline and canon law
on religious Orders and regulars
on Oriental Churches and foreign missions
on politico-ecclesiastical affairs and relations of Church and State.

It had been decided, too, at an early date that select theologians and canonists from the different countries should be brought to Rome as consultors, to be joined to those on the spot in forming these commissions. The Nuncios at the various Courts had been instructed to consult the bishops as to suitable representatives, and report.[10] As the result, Hergenröther and Hettinger, both of Würzburg University, of repute as theologians and church historians, whose works are current to this day, were in the first instance invited from Germany. The selection did not give satisfaction in Germany, and Cardinal Schwarzenberg, Archbishop of Prague, wrote urging that other German and Austrian Universities besides Würzburg ought to be represented, and submitting

[10] The details of the selection of consultors are given in Granderath, *History*, I, Bk. i, c. 6. He cites an interesting letter of the Nuncio at Munich, with an encomium of Hefele.

the names of Hefele, the historian of the Councils, and Döllinger, as suitable representatives of German ecclesiastical scholarship. He received answer from Cardinal Antonelli, the Secretary of State, that Döllinger was to have been invited, but it had been stated to the Pope that he had declared he would not go. Hefele was invited and took a great part in the preparatory work; he became Bishop of Rottenburg, Württemberg, before the Council. Haneberg, abbot of the Benedictine abbey of St. Bonifaz, Munich, a sound orientalist, who was assigned to the commission for the Oriental Churches, and Alzog, the church historian, were also chosen for Germany. Similarly a number were chosen from the other countries. Ullathorne, as Newman's bishop, had a letter intimating that the Holy Father had it in mind to invite Newman to Rome as a consultor, and desiring him to sound him if he would be willing to come. Though greatly pleased, Newman after deliberation begged off, on score of health, and because he could speak no language but English.[11]

Besides the consultors summoned by the Pope, the bishops of each Province were commissioned to elect a consultor for the preparatory work. The English bishops chose Dr. Weathers, the President of Old Hall. The consultors numbered just a hundred, both those called in from abroad and those belonging to the Roman schools and courts: they were distributed among the five commissions, and got to work early in 1869.[12] Among them all, Hefele was entrusted with what was probably the most important piece of work. He was attached as consultor to the central or directing congregation, and in view of his unique knowledge of the history of Councils, he was called on to draw up a votum or opinion as to the mode of procedure in the transaction of business. His votum, March 1869, a lengthy and weighty document,[13] is of great interest, in that its suggestions were adopted and carried out in almost every particular, so that the machinery of the

[11] *Life of Ullathorne*, II, 46.

[12] The minutes of the proceedings of the Commissions are printed in Mansi, l.c., 477-1248.

[13] Mansi, l.c., 531 *Lac* 1087.

Council, as we shall find it working, was in effect constructed by Hefele. This is of importance, in view of the dissatisfactions and complaints of the Minority bishops and of those hostile to the Council outside; for Hefele was by no means a neo-Ultramontane; on the contrary, he was soberly liberal, and a leader in the Minority opposed to the definition of infallibility. Yet was he clear that the supreme control of the Council was vested in the Pope alone; and in particular he urged that all contentious preliminary questions of personnel and procedure, that had occasioned such acrimonious debates and such delays at Trent, should be definitively settled beforehand by the authority of the Pope.

Finally, at the end of March 1869, was appointed as General Secretary of the Council Dr. Joseph Fessler, Bishop of Sankt Polten in Austria; he had been professor of ecclesiastical history and canon law in Vienna University, and was author of what was in its day the best manual of Patrology, though long since superseded. He was one of the small group of Austrian bishops of Ultramontane tendency, but on the lines of the strict theological school. Ullathorne's appreciation of him will be read in a subsequent letter (see Chap. XVI, March 25).

Important questions had to be settled regarding the personnel of the Council—who should take part in it; and on this grave uncertainties existed. The early Councils had, in the matter of defining doctrine, been composed of bishops only, although, notably at Chalcedon, the Emperor and his commissaries took part in regulating the debates. In course of time modifications had come in. At the Western Councils of the Middle Ages abbots also sat, and at the Fourth Lateran, 1215, they outnumbered the bishops by two to one. At Constance and at Basle an army of doctors of theology and canon law took part, so that the bishops were an insignificant minority. It seems from the Acts that at Constance the theologians voted even on definitions of faith, as the canons condemning the errors of Wyclif and Hus.

At Trent a reversion to the old practice was made, but the Catholic Princes were invited and pressed to take part, in

person or by ambassadors ; and both Emperor and King of France sent ambassadors, who exercised considerable influence on the course of things, but without voting on matters of doctrine.

It fell to the Central Directing Commission to deal with these questions. The fundamental principle adopted was, that ' a Council is of bishops ', that those entitled to sit at it by divine law (jure divino) are the ' residential ' or diocesan bishops. Next, by longstanding custom all cardinals, even if not bishops, are entitled to sit and vote. The case of titular bishops, consecrated but without ordinary jurisdiction over a canonically erected diocese, gave rise to controversy. Finally they were divided into two categories : vicars apostolic or bishops over districts in the missionary field ; the right of these to sit and vote, as bishops exercising episcopal jurisdiction, not ordinary but delegated, in their districts, was admitted : merely titular bishops, as coadjutors and auxiliary bishops, higher officials in the Curia and the papal diplomatic service ; the admission of these was recommended as a privilege, not as a right, but if present they should be given voice and vote. The Pope endorsed these decisions and the titular bishops were admitted. The case of titulars remains thus in the codex of Canon Law.

In regard to abbots, it was decided that ' abbates nullius ', that is abbots who, without being bishops, still are ordinaries ot a diocese with episcopal jurisdiction, should be admitted : such are the Benedictine abbots of Monte Cassino and of Pannonhalma in Hungary, and half a dozen more, Benedictine and Canon Regular. Of other abbots, not all abbots of individual abbeys, but only the Presidents of monastic congregations were admitted. Similarly the Generals of Religious Orders were admitted : all these on the ground that they exercise over their subjects quasi-episcopal powers.

Vicars capitular, those elected by the Chapter to govern a diocese during a vacancy by death of the bishop, were excluded. The case of procurators sent by bishops lawfully hindered from going to the Council, occasioned much discussion. The precedents were uncertain. At Trent at first

the German bishops were allowed to send procurators with full deliberative voice; but the permission was withdrawn, and again conceded. Hefele advised that, as they were not going to be numerous, they should be admitted; but the final decision was adverse. They were allowed to be present at the proceedings but not to speak or vote.

These decisions as to the personnel of an œcumenical Council are now the law of the Church, being incorporated in the codex of Canon Law.

One of the good effects of the Council hoped for by many of the bishops was the possible Reunion of Christendom, of the Orthodox Eastern Churches with the Holy See, and even of the return of Protestant Bodies to Catholic Unity. Accordingly in September, 1868, was issued an Apostolic Letter 'to all Bishops of Churches of the Eastern Rite not in Communion with the Apostolic See'.[14] After asserting strongly the Petrine and papal position, the Pope expressed his great desire that the schism of Western and Eastern Churches would be healed. And having just convoked an œcumenical Council,

> we direct our voice to you, and with the greatest possible earnestness of soul we beseech, admonish, and pressingly exhort you to come to the said General Synod, as your ancestors came to the Councils of Lyons and of Florence; in order that the conditions of our former love may be renewed, and the peace of our Fathers may be once more called to vigour, so that the light of desired union may shine brightly upon all. Thus may continual thanksgivings be ever offered up to the Father of Mercies by all His Saints, and especially by those most glorious ancient Fathers and Doctors of the Eastern Churches, when from heaven they look down on the restoration and renewal of that union with the Apostolic See, the centre of Catholic truth and unity, which they whilst living upon earth laboured with every effort and with unwearied toil to cherish, and daily to forward more and more by teaching and example.

[14] Mansi, l.c., 1255: *Lac* 7.

Unfortunately the Letter got into the press before it was presented to the Eastern Patriarchs, with the result that when the Vicar Apostolic presented the Pope's Letter to the Patriarch of Constantinople, the Patriarch said that, were it not that he already knew the contents, he would certainly have received and carefully perused the Letter ; but as it was, he had read it in a newspaper, and so was able to say at once it contained principles and claims which the Orthodox Eastern Church could not admit ; their bishops' going to the Council would mean a renewal of the old theological disputes that could only accentuate the disagreement between them, reopening old wounds. The only basis of reunion must be that the Western Church revert in doctrine and practice to the norm existing before the Schism, giving up all that has been added since then. Finally,

> if His Holiness the Pope of Rome had respect to apostolic equality and brotherhood, it was fitting that, as an equal among equals in point of dignity, but being first by canonical right and rank of his See, he should have directed a separate letter to each of the Patriarchs and Synods of the East, and not in encyclical and dictatorial form to impose it as lord and master of them all, but as a brother to brethren equal in honour and degree, to ask them how, where, and in what conditions, they would agree to the assembling of a Holy Council.

And the Patriarch handed back to the Vicar Apostolic the Letter unopened. The other Eastern patriarchs and bishops followed the cue given at Constantinople ; none came to the Council and the Pope's gesture was bootless.[15]

The invitation was sent to the Patriarchs of the Armenian Nestorians and of the Monophysites, both Jacobite and Coptic, without result ; but not to the three Jansenist bishops of Holland. The case of the bishops of the Anglican Church

[15] *Lac* 1110-23. See an English tract, *The Patriarch of Rome and the Patriarchs of the East*, by W. Fraser (London, 1869). Granderath, *History*, I, Bk. ii, c. 12.

was decided negatively, on the ground that the validity of their orders was not recognized. For all that, many members of the A.P.U.C. (Association for Promoting the Unity of Christendom) urged that deputies should be sent to the Council to treat of the conditions of the reconciliation of the English Church with the Holy See. They were, however, a minority so small as to be negligible.

The Pope's Letter of September 1868, ' to all Protestants and other non-Catholics ', attracted more attention and called for a greater response. The Letter exhorted Protestants to reconsider their position in face of the innumerable sects into which Protestantism was broken up, and the consequent dilution of Christian doctrines, and to return to the fulness of Catholic Faith and to Catholic Unity from which their Fathers had broken away.[16]

It is remarkable that the leading French Protestant of the day, Guizot, should have said : ' Pius IX has given proof of admirable wisdom in convoking this great assembly, whence will issue perhaps the saving of the world ; for our societies are gravely sick, and for great evils great remedies are needed.' But this was not the common Protestant attitude. Meetings of representative Protestants held at Berlin, Gröningen, Geneva, Worms, and also the Protestant Federations of France and the United States, drew up reasoned statements of the Protestant position and teaching, showing why they could not comply with the exhortation of the Pope.[17]

Thus even before the Council were dashed the hopes of many bishops, such as Dupanloup, that it might pave the way for the Reunion of Christendom.

[16] Mansi, l.c., 1259 ; *Lac* 8.

[17] The principal documents are given in *Lac* 1123-46 ; see Granderath, l.c., c. 13.

CHAPTER VI

# ATTITUDE OF THE GOVERNMENTS

While the ecclesiastical preparations were thus going on apace, the Governments of the various States, especially the Catholic, were turning their attention to the coming Council. In April 1869, Prince Hohenlohe, Foreign Minister of Bavaria, despatched a letter to the Bavarian ministers at the various Courts. It exhibits in a restrained tone the apprehensions very generally felt among Catholic statesmen :[1]

> It is unlikely that the Council will occupy itself solely with doctrines of pure theology. The only dogmatic thesis that Rome would wish to be proclaimed at the Council is the papal infallibility. It is evident that this pretension raised to a dogma would pass beyond the purely spiritual domain, and would become a question eminently political, raising the power of the Pope, even on the temporal side, above all princes and peoples of Christendom. This doctrine is therefore of a nature to arouse the attention of all Governments with Catholic subjects. Moreover, one of the Commissions preparing the matter for the Council is occupied with mixed questions, touching equally matters of public law, of politics, and of canon law. This leads us to suppose that the intention is to promulgate at the Council a series of decrees on questions political more than ecclesiastical.
>
> Again, the *Civiltà Cattolica*, the semi-authoritative organ of the Roman Jesuits, has said that the condemnations of the Syllabus of 1864 will be transformed into positive conciliar degrees. But the articles of the Syllabus being directed against the principles that form the basis of modern

[1] The principal documents on which this chapter is based are in *Lac* 1199-1253.

public life as it is developed among all civilized peoples, it follows that the Governments should ask themselves if it be not their duty to call the serious attention of their bishops and of the Council to the disastrous results that would follow from such a disturbance in the actual relations of Church and State. It seems a matter of urgency that the Governments should take concerted action by their agents at Rome, or otherwise, to forestall any decisions the Council might make, not in concert with representatives of the secular powers, on matters at once political and religious in their bearing.

The Bavarian ministers are to lay these ideas before the Governments of the Courts to which they are accredited, and to seek to bring about concerted action towards laying before the Holy See the views of the various Governments interested.

The attitude taken up by the Governments is noteworthy. Bismarck, the Prussian Foreign Minister, took up the clear position that 'in spirituals full liberty would be left to the Church; but if there should be any incursion into the civil domain, it would be resisted. The bishops of the Prussian territories will be given free and untrammelled facilities for attending the Council.' Similarly Von Beust, the Austrian Foreign Minister: 'The Government will not intervene unless it should become clear that the Council was invading the limits and rights of the civil power. It trusted, however, to the prudence of the Holy Father and the Cardinals to avoid solutions that would embroil the relations between Church and State. It would not send any special agent to Rome.'

We allow the proceedings in France to stand over for a moment, merely noting that a like attitude was finally adopted. The other Governments, including after hesitations the Italian, fell into line, and no interference with the Council was contemplated, unless there should be signs of an attempt to issue decrees on political matters touching relations of Church and State. The Russian Government alone prevented its Catholic bishops from going to the Council.

The aforesaid forebodings and apprehensions, though natural enough in view of the kind of things being said by extremists, were in fact without foundation. There is no evidence among the documents of any idea on the part of responsible persons, of turning the condemned propositions of the Syllabus into positive decrees. As for the Commission on politico-ecclesiastical affairs that caused such misgivings, its proceedings were conducted with great circumspection.[2] The schedule of subjects laid before the consultors could hardly have led to conflict with the civil authority; and the Cardinal who was chairman laid down that they should confine themselves to matters of doctrinal import, and that the outcome of their work should be communicated to the Commission on doctrine, to be incorporated in its schemata. And so in fact in the dogmatic schema on the Church the last three chapters deal with the relations between Church and civil society and the State, in a way little calculated to cause frictions or practical difficulties. Certainly the five canons proposed on this range of subjects would hardly be disputed by any Christian man.[3] The Council, however, never got so far in its programme.

We must return to France. The attitude of the French Government was of almost decisive importance for the Council. French troops were still holding Rome, as they had been for twenty years, as protection against internal revolution and against annexation by the new Italian Kingdom. The withdrawal of the army of occupation would have made the Council impossible. The principal part in determining French policy in the matter of the Council was taken by M. Émile Ollivier; and as he was author also of one of the most instructive books on the Council, to be used often in these pages, it will be in place here to introduce him and his book.

Ollivier was a lawyer of liberal republican tendencies, who first came to the front at the Revolution of 1848. He entered the Chamber of Deputies as one of the liberal opposition to the

[2] Mansi, I (49), 1171-1210; *Lac* 1103-6.

[3] Mansi, III (51), 545 53; *Lac* 572-8: in Chapter XVII, below, this matter is gone into fully.

autocratic Empire of Louis Napoleon. His opposition in time wore down; and finally in January 1870 he became the Emperor's principal Minister in the belated attempt to liberalize the Empire and place it on a popular footing. Thus he was Prime Minister during the Council and during the War of 1870, in precipitating which he has to share the responsibility with Bismarck. The disasters of the war ruined his political career. As statesman his great concern was centred on the relations of Church and State in France; and in 1877 he published a book in two volumes, *L'Église et l'État au Concile du Vatican*, which ran to a fourth edition in 1884. This book being, in certain aspects of the external history, the most important work on the Council, it becomes necessary to appraise it. I have to say that of all books of history I have read, this one comes perhaps the nearest to the ideal of historical objectivity and impartiality. The third chapter gives statements of the Ultramontane and of the Gallican positions: on reading the first I said, 'He surely is an Ultramontane'; but on reading the second, 'He is a convinced Gallican',—so clearly is each case set forth. The general impression made on me by the book was that Ollivier was a sincere Catholic, a moderate Ultramontane in belief, but a liberal statesman keenly desirous to bring about a conciliation between the Catholic Church and the modern liberal State as it existed in France under the Empire. And this indeed was his great object: but he was no Catholic at all, nor Protestant: he was 'incroyant'.[4] But there can be no doubt the author of this book was a Theist, a believer in God and in the social value of religion; a conscientious man, too, who tells us that when, as Prime Minister, it fell to him to suggest to the Emperor names to present to the Holy See for vacant bishoprics, it gave him sleepless nights. Himself he would have preferred Gallican ideas to prevail; but he recognized that in view of the strong Ultramontane currents running even in France, this was impossible; and so he faced the inevitable and made the best of it. He held that the question of papal infallibility was of the purely spiritual order, not affecting the

[4] So abbé Mourret, *Concile du Vatican*, p. 252.

State in any way; he scouted as chimerical the fears entertained on score of the Syllabus: his explanation and defence of the Syllabus is the best—better than Dupanloup's, better than Newman's.[5] In regard to the Council, he defends it from the attacks and criticisms made on it both from without and within. He knew well personally many of the chief actors, not only the leading French bishops and laymen, but Cardinal Antonelli, of whom he makes an eloquent encomium both as statesman and as man, greatly at variance with the usual appreciations.[6] He had a great veneration for Pio Nono, who on his side had a liking for Ollivier: 'Voyez M. Ollivier,' he once said, 'j'ai surtout confiance en lui, il a un fonds très-religieux.'[7]

It is evidently a great advantage to have concerning the events and the persons of the Council the judgements of this well-informed, sagacious, quite independent yet sympathetic onlooker, closely associated with all that was going forward: it will be a valuable counterpoise to the violences and exaggerations of those who have hitherto commonly been accepted in the outer world as the best accredited authorities on the Council.

Shortly after the promulgation of the bull of Indiction, June 29, 1868, the question of the attitude of the French Government came on in the Chamber of Deputies. On July 10 a debate took place, opened by Ollivier, still a private deputy, in a remarkable speech.[8]

> First he laid down that in virtue of the Concordat the Emperor enjoyed all the rights and privileges enjoyed of old by the Kings of France, and consequently had the right to be present at the Council in person or by ambassadors. But he urged that the claim should not be pressed, as it could not be effectively enforced, nor could it arrest the course of things at the Council: only by threat of the with-

[5] Op. cit., I, c. iv. §§ iii, iv.
[6] Op. cit., I, c. v, § xiii.
[7] *Ibid.*, II, 202.
[8] The speech and the whole debate are given in full, *Lac* 1216-29; Ollivier, op, cit., I, c. iv. § viii.

drawal of the French troops from Rome could any effective influence be exerted,—a measure he would altogether deprecate. The fact that no invitation to the Council had been given to Catholic Sovereigns was nothing less than the assertion of the severance of Church and State, made on the part of the Church. The State should accept the situation and safeguard its own independence by refraining from any kind of intervention at the Council, so that, while leaving entire freedom to the Council in matters of the spiritual order, it might be uncompromised should there be any attempt to invade the sphere belonging to the civil authority. There should be no semblance of persecution; no interference with the publication of bulls; no restraint placed on the bishops in attending the Council; no attempt to influence the opinions they might express there: above all, no ambassador or representative of the Government should take part in the Council.

The speech made a sensation and was well received; the Government, while expressing agreement, declined as yet to form a decisive determination.

A year later, April 1869, Ollivier again raised the matter in the Chamber, putting to the Minister three formal questions, which were answered thus:

Will the bishops be free to go to the Council?—Yes, incontestably.

How will they go there? Will they go with full liberty of conscience, or judgement, and without any understanding with the Government?—We respect the members of the episcopate too much to seek to influence their decisions; they will go to Rome with their personal dignity, with their independence, with their conscience, with their patriotism [great applause].

The third question, Will the Government be represented at the Council, the Minister was not in a position to answer.

In fact, some of the Cabinet wanted such a representative; but the Emperor decided against it. The French Ambassador

at Rome reported that the Holy Father expressed himself much pleased : the Ambassador did not anticipate the raising of contentious political issues at the Council.

The question of the Catholic Sovereigns was much exercising minds at Rome. We have seen that at the preliminary meeting of the Central Directing Congregation, March 1865, it had been agreed that they be not consulted beforehand as to the holding of the Council, but when it was proclaimed the Holy See should do what was suitable ; and this had been confirmed by the Pope. But when the actual drafting of the bull of Indiction was under consideration, May 1868, the matter came up again. At first it was decided to adhere to the former decision, and send to the Catholic Courts a printed copy of the bull simultaneously with its promulgation. The question if it should be sent also to non-Catholic Governments having Catholic subjects was deferred, for consultation with Cardinal Antonelli. Then many hesitations began to be felt as to whether the precedents of Trent ought not to be followed, and the Catholic Sovereigns invited to take part, in person or by ambassadors.

The Cardinals of the Directing Congregation veered round to the view that they ought to be invited. Accordingly on June 23, just a week before the date of promulgating the bull, a special meeting of the Congregation was held in the presence of the Pope, at which Antonelli took part, to consider this important matter.[9] A difficulty in the way of inviting the Catholic Sovereigns was that the King of Italy was under excommunication for the invasion and annexation of the Papal States in 1860; also some of the Presidents of South American Republics were Freemasons or strong anti-clericals ; moreover it would be difficult to invite the Sovereigns of Catholic States, and not those of other States, with great Catholic districts and populations, as Prussia. The final decision was a compromise : to insert in the bull the sentence: 'and that, as becomes Catholic Princes, they should most earnestly co-operate in all things that may be for the greater glory of God and the good of the Council.'

[9] Mansi, I (49), 403 ; *Lac* 1061.

Antonelli made it plain to the French Ambassador that this, though not an invitation, was intended to give an opening to any Catholic power to take part in the Council, as at Trent; and that if any did so, their representatives would be admitted and welcomed. In fact, a provisional place was provided for any such, facing the Cardinals.[10] But there can be no doubt that the authorities were relieved that none of the Governments intervened.

Thus at the opening of the Council the attitude of the Powers was friendly, or at least neutral. At a later stage, as will be seen, there were serious threatenings of hostile intervention.

[10] Ollivier, op. cit., I, 508.

CHAPTER VII

# EVE OF THE COUNCIL: CONTROVERSY AMONG CATHOLICS

If there was little trouble or conflict with the secular Governments over the coming Council, a keen and bitter controversy broke out among Catholics, chiefly round the question of defining the Pope's infallibility as a Catholic dogma. What may be called the great central body of Catholic opinion was not moved; it had, at any rate outside France, for a long time accepted as practically true the old theological statement of the Pope's infallibility as laid down by Bellarmine. But between the extremists on either side the battle raged—the neo-Ultramontanes and the ultra-liberals, a school powerful in Germany, especially in Bavaria, but with a strong though small group of adherents in England, and of course elsewhere. Of this school the protagonist was Dr. Döllinger, whom it is necessary now to introduce.[1]

Born in 1799, Ignaz Döllinger was ordained in 1822, and five years later obtained the chair of canon law and ecclesiastical history at Munich University, which he held until his death. In his early days he was regarded as a representative Ultramontane in Germany, standing above all for the freedom of the Church from State control. In the 'thirties he produced a *History of the Church* (English translation 4 vols., 1840). In this work he laid down what may be called the normal Catholic positions in regard to St. Peter and the Papacy: thus the import of the Petrine texts, the position of St. Peter, the pre-eminence of the Roman Church and Bishop in ante-nicene times, the relation of Popes to General Councils, and the papal Supremacy are all set out clearly in a sober Catholic and Ultramontane sense. The sections 'The Pope as supreme Teacher and Guardian of the Faith' and 'as the Visible

[1] On Döllinger see Ollivier, op. cit., I, 425-8.

Representative of Ecclesiastical Unity' are specially noteworthy. Hildebrand, Innocent, even Boniface VIII, are dealt with sympathetically, appreciatively; and in the contest of Papacy and Empire the balance is evenly held. And what is noteworthy, the crucial decrees of Constance are treated as invalid. Thus as to Döllinger's fundamental Ultramontane position in early life there can be no doubt. About 1850 a change began to come over him. He grew more and more out of sympathy with the tendencies and influences prevailing at Rome. For all that, in the book *The First Age of the Church*, published 1860 (English translation, 1866), a remarkable work at that date, he still could write:

> St. Peter was the Shepherd appointed by Christ for the whole flock; the pillar of legitimate unity chosen by Christ as Shepherd of the flock; the Head of the Church (i, 90-1). Peter held a pre-eminence among the Apostles which none of the rest contested. To him was the charge given to strengthen his brethren and feed the flock of Christ. He is necessarily the Head of the apostolic college and the whole Church. The primacy of Peter displayed itself on all grave occasions (ii. 100-1). So much on St. Peter. On the Papacy: Peter received the keys of the Kingdom and is the Rock on which the Church is built—that is, the continuance, increase, and growth of the Church rests on the office created in his person (*ibid.*).

So Döllinger wrote still in 1860. But during the next decade an ever-increasing estrangement from the Roman Church and the ecclesiastical and civil policies of Pope and Curia, kept driving him into a state of isolation and opposition to the central authority. He used to attack vehemently the Temporal Power and the administration of the Papal States, the Curia, and the Jesuits. He adopted the most extreme interpretation of the Syllabus, as an attack on modern society and the modern State. He called for the abandonment of the scholastic method in theology in favour of a purely historical treatment: and so on. And so, when the Council

was announced, Döllinger settled down into an attitude of determined opposition, and became the storm-centre of the violent agitation stirred up around it. He can be seen behind the letter of Prince Hohenlohe, whose fears were precisely those of Döllinger.

The sign of battle was given by an article in the *Civiltà Cattolicà* of February 6, 1869. The *Civiltà* was the organ of the Roman Jesuits, and though not officially representing the Vatican, it was recognized as enjoying the high approval of Pius IX, and as being at any rate semi-authoritative. At the middle of January the Papal Nuncio in Paris, Archbishop Chigi, in response to a requisition, sent to Cardinal Antonelli two Memoirs exhaustively dealing with the state of mind existing in France relative to the Council on the part of Government, press, and the various sections of the general public, Catholic and other.[2] These Memoirs were sent by Antonelli to the *Civiltà*, and were in great part printed, as being from a 'Paris Correspondent'. Among other things the Nuncio had given as the desire of the great body of normal French Catholic opinion, that the teaching of the Syllabus should be defined in such a way as to remove the misinterpretations attached to it; that the dogmatic infallibility of the Pope should be proclaimed—and they hoped that 'a unanimous outburst of the Holy Spirit would define it by acclamation by the mouth of the Fathers';[3] that they expected the Council to be of short duration, as that of Chalcedon (less than a month), believing that there will be such general accord among the bishops of the whole world that a minority would not be able to put up any prolonged opposition: so that any protracted conflict of opinions and discussions at the Council would cause some astonishment.

This last point reflects the ideas of Veuillot in the *Univers*: he laughed at those 'who want the Fathers to discuss, and wish the Holy Ghost to take time in forming an opinion; and have a hundred arguments to prove how much time for

[2] *Lac* 1146-67.

[3] On espère que l'explosion unanime de l'Esprit-Saint par la bouche des Pères définira par acclamation.

reflection is indispensable to the Holy Ghost.' Again : ' It is worthy of note that in the Upper Room no discussion preceded the outpouring of the Holy Ghost.'

Such prognostications of what was expected to happen at the Council were so wholly out of keeping with the elaborate preparations on foot, that it springs to the mind to ask if their publication by the Pope's Prime Minister, the Cardinal Secretary of State, was not a 'ballon d'essai ', to test how such ideas would be received. Be that as it may, their publication in an organ so closely associated with the Curia and the Pope himself, and above all, the idea of defining the infallibility by acclamation, was surely a regrettable adventure. For immediately they called forth during March and April a series of articles in the Augsburg *Allgemeine Zeitung*, of which, whatever collaboration there may have been, the author-in-chief was Döllinger.[4] These articles, expanded and re-enforced with a wealth of curious learning, were reissued in July in book form, *The Pope and the Council*, by ' Janus ', promptly translated into the principal languages, the English translation being published in the autumn, just before the bishops started for Rome. The thesis of the book is laid down in the Preface :

> Every faithful Catholic is convinced—and to that conviction the authors of this book profess their adherence—that the Primacy rests on divine appointment. The Church from the first was founded upon it, and the Lord of the Church ordained its type in the person of Peter. It has therefore, from the necessity of the case, developed itself up to a certain point ; but on this has followed, since the ninth century, a further development—artificial and sickly rather than sound and natural—of the Primacy into the Papacy, a transformation more than a development. [And on the Primacy :] During the first Christian centuries we meet with abundant facts which prove unmistakably that the Roman Bishops not only believed themselves to be in possession of a divine right, and acted accordingly, but that this right was actually recognized by others. And if it was

[4] *Lac* 1167.

often affirmed, as by the Council of Chalcedon, that the Roman Church had received its privileges from the Fathers, we shall have to consider that the Primacy itself, the first rank among churches, was not given to it by any Synod at any fixed time, but had always existed since the time of the Apostles ; and that to any heathen who asked which among their churches was the first and principal one, whose voice and testimony had the greatest weight and influence, every Christian would have answered at once that it was the Roman Church, where the two chief Apostles, Peter and Paul, sealed their testimony with their blood, just as Irenaeus has expressed it (pp. xxi, xxiii).

Thus it was not the Primacy that was attacked—it was accepted as of divine institution : it was the ' Papacy ' and its works and pomps, as manifested in the Middle Ages, in the Renaissance, in the Counter-Reformation, and in modern times, that was attacked. It was indeed a vehement frontal attack on the political papacy, the papal monarchy as conceived by Hildebrand and Innocent, the centralizing tendencies at Rome, the Roman Curia, the Inquisition, the Temporal Power and the administration of the Papal States, the Syllabus taken as the condemnation of modern political ideas, Ultramontanism both new and old, with the Jesuits as the principal devils of the piece. False Decretals, exactions, arbitrary acts, scandals in papal history, political mistakes, are all raked together out of a perhaps unique knowledge of medieval and modern church history, and piled up into an imposing onslaught on the Popes, probably the most damaging ever compiled. ' It is the gravest and severest attack on the Holy See and the Jesuits, and especially on the policy of Rome for a thousand years, and will be a great storehouse for the adversaries of the Church,'—so wrote Ullathorne (October 22).

' Janus ' was greatly moved at the idea of ' making the Syllabus dogmatic '. Here he could point to the fact that this had already been done by the Viennese Jesuit Schrader, of the neo-Ultramontane school, and he was able to quote

with effect samples of the propositions Catholics might expect to have imposed on them by the Council as articles of faith. Such anticipations have already been shown to have had no foundation in any responsible quarter. But his chief fear was the papal infallibility. His idea was that, once defined, it would be in constant use, and all attempts to set limits to its exercise would be futile. Herein he took for granted that the theories of Ward and Veuillot were going to prevail. Looked at in the atmosphere then prevailing such fears do not appear altogether fantastic; but looked at in the light of what has happened during the past sixty years they are seen to have been exaggerated and vain.

An answer, 'Anti-Janus', was promptly produced by Hergenröther, a learned church historian; but to answer effectively such a book in one of the same size is wellnigh impossible. 'Janus' caused a great conflagration in Germany. A meeting of Catholic laymen held at Coblenz drew up a memorial to the Bishop of Treves, expressing the fears caused in them by the *Civiltà* article, and their objection to its programme, and setting out the burning questions of the day, social, industrial, political, on which they hoped the Council would lay down the great lines of Catholic teaching. They asked for the removal of the Index of prohibited books. At the end, they declare it is their determination to live and die true sons of the Church, in unity with her and her centre, the Roman See, and under the obedience of their bishop.[5] This was in May; the manifesto was circulated widely, and led to much correspondence in Catholic Germany. A meeting of Catholics in Berlin prepared another manifesto to be sent to the German bishops.[6] They pledged themselves to obey whatever decrees might be made at the Council; begged that there should be no interference with it on the part of the secular Governments; accepted the Catholic teaching, as laid down by the Pope, on the ideal relations between Church and State, but thought that in applying this teaching consideration must be had of the actual condition of civil society

[5] *Lac* 1175.
[6] *Lac* 1185.

rejected the idea of a national church; finally, they thought the definition of the infallibility unnecessary.

During August was circulated, in all the languages, among the bishops of Germany, England, and Ireland, United States, Spain, France, Italy, an anonymous tract, 'Observations on the question, Whether it be opportune to define the infallibility of the Sovereign Pontiff?' its argument being that the definition would be most inopportune. The German was the original, and Döllinger acknowledged the authorship.

In view of these movements and the general excitement prevailing in Germany, the bishops felt they had to take the matter in hand; and so during the first six days of September the twenty bishops of Germany (not Austria) met in synod at Fulda.[7] They discussed the situation, especially the definition of papal infallibility. They agreed that theological questions as to the truth and the definability of the doctrine were matters for the Council; they confined themselves to the question whether the definition would be opportune, and precisely from the point of view of religious interests in Germany. As the outcome of their deliberations they issued a joint pastoral letter,[8] a fine loyal manifesto, reminding their flocks that

> the Council would be an œcumenical Council, and therefore, according to Catholic teaching, under the special guidance of the Holy Ghost, so that its decrees would come to Catholics with the like authority as those of earlier General Councils. They sought to calm the fears and misgivings sown in the minds of Catholics by the suggestions of 'Janus', that there would not be free discussion at the Council, that the bishops would be intimidated and afraid to speak their minds, so that the freedom of the Council and the validity of its decrees would be questionable. Such suggestions they repudiated as unworthy of the Catholic bishops, and they regretted that the insinuations hitherto made by the enemies of the Church should now be made

[7] *Lac* 1188.

[8] *Lac* 1191: it is given in full by Granderath, I, Bk. ii, c. 6.

by Catholics. Finally they called on all Catholics to rally round the Church, the Council, and the Holy Father, and to hold aloof from all party movements and conflicts that were being stirred up around the Council.

Fourteen of them sent also a letter to the Holy Father :[9]

They say they deem it their duty to make known to him the excitement of mind and the unrest existing throughout Germany, among Catholics and Protestants alike, at the idea of the definition of papal infallibility. They have received numerous representations from clergy and laymen, devoted to the Church and the Holy See, begging that the definition be not made. And they express their own conviction that, in view of the actual state of things in Germany, the definition would be inopportune.

This letter was signed by fourteen of the twenty bishops ; among them the Archbishops of Cologne and Munich, the Prince Bishop of Breslau, the Bishops of Treves and Augsburg, Ketteler of Mayence, and Hefele, the elect of Rottenburg. Naturally, all these bishops will figure among the Minority at the Council.

The turmoil of feeling in Germany can hardly be imagined unless such account of the newspaper and pamphlet warfare as is supplied by Granderath (I, Bk. ii, cc. 3, 4, 5) be read. So great was the popular excitement that the Nuncio at Munich reported to Antonelli that on their way to Fulda the Archbishop of Cologne and other bishops had been publicly insulted and almost mobbed by the populace.[10]

In other countries also controversies among Catholics broke out, but nowhere did they assume the same character as in Germany. It was inevitable that in France controversy should arise between the two schools that divided French Catholics, the liberal and the neo-Ultramontane, the protagonists being Dupanloup and Louis Veuillot, the editor of the

[9] *Lac* 1196 : Granderath, l.c.
[10] *Lac* 1197.

*Univers*. On his return from Rome, July 1867, straightway after the announcement of the coming Council, Dupanloup issued a pastoral letter uttering in words of glowing enthusiasm all his hopes of what the Council might achieve—the reunion of the Eastern Churches, the return of the Protestant Bodies :

> To dissipate current errors, to throw the bright light of Christian tradition and Catholic science upon great questions overshadowed by present clouds ; to revive in the bosom of the Church the ardent flames of charity and devotion ; to disperse by explaining misconstructions ; to make plain the way for a great movement of return to the true fold : in a word, to accomplish a vast work of illumination and pacification—who would not applaud such an effort on the part of the Catholic Church?

The bull of Indiction not appearing, he sent early in 1868 a letter to the Pope urging the importance of speeding up the Council. On March 4, the Pope replied :

> It is with deep gratitude that we have received the observations you have addressed to us. They have given us a fresh proof of the ardent zeal with which you are filled for the honour of the Church and the Holy See. And, in consequence, we have determined to issue sooner than we had intended our Apostolic Letter for the convocation of the Council.

It was promulgated June 29, 1868. Dupanloup issued another pastoral, November, said to be the finest thing he ever wrote :

> There will be at the Council two great objects : the good of the Church and the good of human society. Great misunderstandings have arisen over all questions concerning the Church. Let humanity rejoice at the magnanimous resolution of Pius IX, for it ought to be for those who

believe, and for those who have not the happiness of believing, a solemn hope. From the simply human point of view what can be more worthy of sympathy and respect than this great endeavour of the Catholic Church to work, in what concerns her, for the illumination and the peace of the world?

This letter made a great impression ; it ran to many French editions and was translated into all the languages.[11] Pius IX wrote an affectionate brief of thanks :

It is with thankfulness that we have received your writing. It will dissipate, such is our hope and our desire, the shadows which ignorance and malignity have shed over men's minds, and it will incline all hearts to desire this most efficacious remedy of the Council.

As Bishop Dupanloup is going to figure as one of the leaders, perhaps in a way the chief leader and chief driving force, of the opposition to the defining of the papal infallibility, it will be well at the outset to make clear his position, which was the position also of nearly all the members of the opposition or minority at the Council. It is of the utmost importance for any right understanding of the Council that the mind of those who opposed the definition should be rightly understood. Fortunately in the case of Dupanloup materials are at hand sufficient to make quite clear his whole attitude without possibility of misconception.

Dupanloup spent four months in Rome during the winter of 1841-42. While there he took the degree of doctor of divinity at the Sapienza, and the doctorate thesis he defended was ' The Infallibility of the Roman Pontiff '. The substance of the thesis was :

The sense of the Church is implied in a definition *ex cathedra*, which is always in conformity with it. The Pope recognizes it and defines it. He is *caput ecclesiae*, the

[11] English translation, 1869.

head. The whole strength, light, and speech are in the head. . . . In the Church there is a perpetual circulation of doctrine and truth, as in the human body there is a perpetual circulation of blood—only if life be in the heart, the eye that sees everything, the ear that hears all things, the strength which wills everything, and the mouth which speaks when necessary, are all in the head.[12]

And his biographer, Bishop Lagrange, who knew him well, adds :

He never held any other theological opinion on this point, from first to last, having a horror of what is called Gallicanism. He wrote in 1843 : 'Gallicanism is inevitably dying out in France . . . there are not more than eight moderate Gallican bishops left.'[13]

In a pamphlet of 1861, *La Souveraineté pontificale*, he said :

For us Catholics the Pope is the universal doctor, the judge in the last resort of question of faith and of Christian morals, the supreme interpreter of Holy Scripture and of the divine teaching ; he judges, interprets, defines, approves, condemns. . . . It is his function to watch over the sacred deposit of truth and of morals, to maintain discipline, to define doctrine, to condemn errors, to extirpate abuses.

And though he went to the Council fully determined to oppose as inopportune the defining of the papal infallibility, he made beforehand perfectly clear his frame of mind in regard to whatever might finally be defined at the Council. Thus in a pastoral letter to his flock :

I declare beforehand that obedient unto death, I adhere to whatever may be the decision of the Head of the Church and the Council : and I adhere to it from the very bottom of my heart and soul, whatever may be these decisions,

[12] *Life*, I, 211.
[13] *Life*, I, 212.

whether conformable or contrary to my particular ideas, and whether they confirm or contradict them. We are all human, and in this Council as in all others, human imperfections may have their share. But our belief is precisely this—that the Holy Ghost directs, fashions, and consumes these imperfections, and turns them to the service of the truth. No one is a real Catholic who has not this faith which is mine; and therefore I declare beforehand that whatever happens, I adhere, I submit; that I am happy thus to adhere—joyous thus to submit. After having fought frankly and openly, acted courageously, and laboured valiantly, submission will be our victory: and Thou wilt give to us all the grace, O my God! to find peace in the Faith and joy in obedience. *Haec est victoria quae vincit mundum, fides nostra.*[14]

He spoke in like manner at a meeting of his clergy assembled to wish him farewell and godspeed on his departure for Rome. The Dean of the Chapter spoke of the 'sentiments of absolute submission with which the Orleans clergy was prepared to receive the decrees of the Council'. The Bishop said:

> We must have confidence in the word of Him who has said to His Church, 'Teach all nations. I am with you till the end of the world;' and who is going to teach us again by the mouth of the successor of Peter and of the bishops assembled around him. And after the Council, when Peter and the Apostles, when Pope and Bishops, have spoken entire docility, absolute submission to all that the Spirit of God shall have dictated to the holy assembly. As for myself, I go to the Council summoned by the supreme Head of the Church. I go there as judge and witness of the faith. I shall be there, I hope, by the help of Our Lord a free judge, attentive and firm, without human respect a watchful and faithful witness.
>
> And when the Council is over, whatever its decision

[14] *Life*, II, 367.

have been, whether conformable or contrary to my desires and votes, I shall return submissive to all without the slightest effort, submissive in mouth, in spirit, and in heart, docile as the humblest sheep of the flock.

Such is my faith, and such is yours. It is by it that we live, and for it, if need be, we would die.[15]

And he was good as his word. After having at the Council used his influence to the very utmost to avert the definition, in February 1871, as soon as the armistice with Germany ended the war and communications were once more opened up with foreign countries, he wrote to Pius IX:

It has been made known to me that your Holiness wishes for something from me relative to the constitution of July 18. I have no difficulty in this matter; I have written and spoken only against the opportuneness of the definition. As to the doctrine I have always professed it, not only in my heart, but in public writings, for which the Holy Father has been pleased to felicitate me by most affectionate briefs. And I adhere to it again, too happy if I can by this adhesion bring to your Holiness some consolation in the midst of your bitter distresses.

I am preparing an ordinance in which I propose to promulgate the constitutions of April 24 and July 18.[16]

Soon after this the pastoral was issued promulgating the decrees of the Council, to which he gave his formal adhesion.

We have here, even in an extreme case, the attitude of nearly all the bishops of the Minority that opposed the definition. Manning[17] and Ullathorne[18] both bear witness

[15] Et le Concile achevé, quelles qu'aient été ses décisions, conformes ou contraires à mes vœux et à mes votes, je reviendrai soumis à tout, sans le moindre effort, soumis de bouche, d'esprit, et de cœur, docile comme la plus humble brebis du troupeau. Telle est ma foi, Messieurs, telle est la vôtre. C'est par elle que nous vivons, et pour elle, au besoin, nous saurions mourir (*Lac* 1281).

[16] *Lac* 999.

[17] *True Story*, p. 99.

[18] *Life of Bishop Ullathorne*, II, 72.

that there were not more than a half-dozen bishops who upheld the historical Gallican position and questioned the doctrine.

The beginning of controversy over the Council in France was in the summer of 1868, when the news went around that Mgr. Maret was writing a book on the Council and the topics to be dealt with at it. He was Dean of the Catholic theological faculty that still existed in the Sorbonne, and had been *honoris causa* made titular Bishop of Sura *in partibus infidelium*. He was a learned and able man of high character, and a known upholder of the old Gallican school; and now the secular press, notably the *Figaro*, gave it out that his book was going to demolish the Ultramontane position. Veuillot retaliated in the *Univers*, and a controversy ensued between him and Maret.

The book was published a year later, September 1869: *Du Concile général et de la paix religieuse*, two volumes. The main propositions are extracted in a document, *Lac* 952-7.

> The general thesis is that the government of the Church is a constitutional monarchy, the spiritual sovereignty being composed of two essential elements, the one principal, the papacy, the other subordinate, the episcopate. Though subordinate, the body of bishops have their place in every act of authority in the Church, and each bishop has the right of examining, judging, contradicting even *ex cathedra* dogmatic decrees, unless they be accepted by the general body of bishops; the supreme authority of a General Council over the Pope even in matters of Faith is strongly asserted; the doctrine of the personal infallibility of the Pope is strongly denied; finally, the holding of General Councils every ten years is advocated as the best remedy for the ills of the Church and of the world.[19]

Maret by the French Ambassador presented a copy to the Holy Father along with a personal letter (*Lac* 912); also a copy was sent to every bishop of the Catholic world, and of

[19] On Maret's book see Ollivier, I, 407-10; Granderath, I, Bk. ii, c. 7.

course the book was put on the public market. These proceedings let loose a great wave of controversy among the French bishops, which overflowed into the newspapers.[20] Mgr. Pie of Poitiers, the leader, though by no means the most extreme, of the Ultramontanes in the French hierarchy, criticized the book in an address to his clergy; Maret responded in the *Univers*; and Pie again at the end of October, in bidding adieu to his clergy on departing for Rome, renewed his criticisms in vigorous language (*Lac* 1263-83). In a letter in reply to one of his episcopal antagonists Maret declared that when the matters in debate had been fully discussed at the Council, new light would shine forth: 'I hope God will give me the grace never to shut my eyes to this light. In every case, submission will be sweet to me.' After the Council he wrote to Pius declaring his full adherence, of heart and mind, to the decrees of the Council (*Lac* 1001); and he withdrew his book from circulation.

On October 10 of the same year, 1869, was published what was regarded as a manifesto of the French Catholic liberals, the group of laymen represented by de Falloux, de Broglie, de Montalembert (now on his deathbed), with whom was closely associated Dupanloup. It was an article, 'Le Concile', of near fifty pages in the *Correspondant*, the organ of the party, and it was recognized as the joint utterance of the leaders. For anyone who wishes to understand the real attitude of the great French Catholics of that school, it would probably be the most enlightening source of information he could find.[21]

> It deals with the two great subjects absorbing the interest of all: The relations of Church to Pope, and of Church to State. It begins by setting out the twofold fear widely entertained on these subjects: the fear that the outcome of the Council will be to concentrate all the authority of the Church on the head of the Sovereign Pontiff, so that

[20] Ollivier, l.c. 410-14.

[21] It is printed in full among the 'Pièces justificatives' in L. Veuillot's *Rome pendant le Concile*.

the Church will appear transformed from a mitigated (tempérée) monarchy into an absolute monarchy governed without control by a single head: and the fear that condemnations may be passed on politico-religious principles which are part of all modern constitutions, so that the Church would be put in open hostility with civil society, and Catholics be placed in the sad alternative of having to choose between obedience to the Church and the attachment they owe to the laws of their country.

The authors declare that they do not themselves share these fears. In regard to the most burning question in the first category, the definition of papal infallibility, their hope and expectation is that it will not be defined. But whatever the Council may do in the matter of defining the infallibility, we have but to remember our catechism to know that, if the marks of infallibility may be doubtful when Pope and bishops are separated, when they are united all shadow of legitimate doubt disappears and the infallibility is certain. A conciliar decision clothed with the pontifical assent, or a pontifical utterance corroborated by the consent of the episcopate—infallibility is there, or it is nowhere.

Although the treatment of the question of Church and State was at the time subjected to severe strictures, especially by the legitimist royalist section of the French Ultramontanes, I cannot think it would cause much, if any, stir now. It was urged that in no country, not even in the Catholic countries of Europe, in Austria, Spain, France, does the Church now hold the privileged position of former times, and the idea that it should or could be restored to its old position was a mere dream, and a mischievous dream. The Church had to take its place amid the conditions of liberty that obtain in all modern states, except Russia. The bishops assembled from all parts of the world would deal wisely with all such questions of Church and State, and with the great social and industrial problems of the day. It concludes:

It matters little that these questions are badly judged by

the press; they will be well judged by the Council, by the Sovereign Pontiff in union with the bishops; and for every Catholic conscience the voice of the Church is the voice of God. The Council can by its voice restore the great truths attacked by the rebirth of an atheistic materialism, and protect reason, no less menaced than faith. It can recall the eternal principles of justice, and condemn usurpation, the abuse of war, slavery. It can restore the great law of the Sunday rest, the only means of breaking the servitude of manual toilers. . . . What a sublime mission with the help of God. The Vatican Council we believe will mark in the history of this century, and of all centuries, an important date; and it will win for itself the admiration of unbelievers, as it has already, beforehand, secured for itself the adhesion, entire, respectful, joyful, unanimous, of Catholic believers of all schools, of all tongues, of all countries.

It cannot but seem to us, now, extraordinary that Granderath should argue that, in spite of difference of language and of tone, the spirit of the article is the same as that of 'Janus', and that the sincerity of the words may be doubted. It is less surprising that at the time in France it was vehemently denounced by Ultramontane bishops, as Pie of Poitiers, and of course by Veuillot in the *Univers*. Time, however, has its revenges. In April 1929 took place in Paris a religious celebration in memory of the centenary of the *Correspondant*. Pope Pius XI was specially represented; the Nuncio took part and Cardinal Dubois, Archbishop of Paris. One of the bishops preached a panegyric on the *Correspondant* for the great work it had done for religion, and on the principal contributors by name, the great Catholic liberals of the 'sixties.

As was to be expected, Dupanloup took a great part in these preliminary skirmishings, though he did not go down into the arena until the last moment. In the November he issued a farewell pastoral letter conformable to those of 1867 and 1868, breathing no word of controversy, but encouraging

his flock to look for great things from the Council, and to help it with their best prayers ; it concluded with the declaration already cited p. 95, of his full acceptance beforehand of whatever should be defined at the Council.

The pastoral was followed by a letter to the clergy, November 11, which being the most public and the clearest popular formulation of the case of the 'Inopportunists', will be summarized here.

The title was : *Observations sur la controverse soulevée relativement à la définition de l'infaillibilité au prochain Concile* (56 pages).

He laid down at the start that he did not intend to speak of the doctrine itself, but only of the opportuneness of defining it as an article of Catholic Faith. Against the opportuneness he urged the following reasons :

(1) there is no necessity for defining it : that the Church is infallible has sufficed for eighteen centuries.

(2) though raised at Trent, it was shelved by the prudence of the Pope, to avoid division among the bishops.

(3) it will create a fresh barrier against the return of the Oriental Churches and the Protestant Bodies to Catholic Unity.

(4) it will antagonize the Governments, by whom it will be taken as confirming the 'Unam Sanctam' of Boniface VIII.

(5) theological difficulties, as the difficulty of determining the conditions of an *ex cathedra* act, and of distinguishing between the Pope as private doctor and as Pope. On these points the differences among theologians are very great ; he instanced the extreme ideas of Ward. Some Ultramontane theologians have discarded the received term *ex cathedra* and any conditional infallibility, maintaining an infallibility of the Pope absolute, unconditional and universal, so that he cannot err even if he wished to fall into any error privately or publicly ; and a French theologian has held it to be an open opinion that the Pope, even as private doctor, is infallible.

(6) historical difficulties, questions of fact.

(7) in the eyes of the faithful the position of bishops will be depressed; they will no longer be looked on as witnesses and judges of the Faith: for their witness will no longer be needed and may be dispensed with; and as judges they will be obliged simply to endorse the judgement of the supreme judge.

The following picture of the rightful position of Pope and Episcopate is after the manner of Bossuet at his best:

See the Pope, successor of St. Peter, Vicar of Jesus Christ, in whom resides the plenitude of apostolic power; the Head of all the bishops, Pontiff of the principal See, in which all the others preserve their unity; universal Pastor, not only of the sheep, but of the pastors; mouth of the Church, keystone and arch of Catholicity, the head of the teaching Church.

And see the Bishops, successors of the Apostles, judges and doctors, with whom is Jesus Christ every day to the end of the world, placed by the Holy Ghost to shepherd the Church of God.

As was inevitable, Dupanloup's *Observations*, issued at the middle of November, being the first and weightiest pronouncement by a bishop against the opportuneness of the definition, attracted much attention and called forth protests and replies. A summary of the argument has been given; but he also inveighed against the imprudent and provocative way in which the subject had been treated by some of the Ultramontane papers, naming particularly the *Civiltà* and the *Univers*, accusing the last-named of introducing the methods of journalism into the affairs of Faith: it had engineered a campaign in favour of the definition by a kind of plebiscite, slips of paper for signatures being scattered broadcast by the thousand, and long lists of adherents being printed day by day in the *Univers*: this was said to be the modern way of ascertaining the 'sensus fidelium'. Natur-

ally the *Univers* retaliated vigorously, as was its wont. The article is printed in the Introduction to Veuillot's book *Rome pendant le Concile*, p. cxxvi. It filled to overflowing the vials of Dupanloup's indignation, and called forth on November 21 a personal *Avertissement* to M. Veuillot, as editor-in-chief of the *Univers*. It is a lengthy diatribe, thirty pages long.[22] The actual *Avertissement* is only a couple of pages :

> The moment has come to defend ourselves against you. I raise then, in my turn, my voice. I charge you with usurpations on the Episcopate, with perpetual intrusion in the most delicate matters ; I charge you above all with your excesses in doctrine, your deplorable taste for irritating question, and for violent and dangerous solutions. I charge you with accusing, insulting and calumniating your brethren in the Faith. None have merited more than you that severe word of the Sacred Books ' Accusator fratrum '. Above all I reproach you with making the Church participate in your violences, by giving as its doctrines, with rare audacity, your most personal ideas.[23]

The rest is a recital of words and acts of the *Univers* writers in justification of so strong a condemnation. They have been used in setting forth the ideas of the most extreme school of the New Ultramontanism (Chap. IV). It is necessary to remember that French journalism often conducts its political and religious controversies with a vivacity, a violence, a bitterness, and an insulting language, that are rare with us ;

[22] It is certainly courageous and candid of Veuillot to print it in full, almost without comment, among the ' Pièces justificatives ' of *Rome pendant le Concile*, pp. 551-83.

[23] The Nuncio at Paris, in the Report spoken of at the beginning of this chapter, referring to the Ultramontane press, and especially the *Univers*, said there were many complaints that it overstepped the bounds proper for lay writers, that it was bitter, intolerant of opinions that are free, violent against the persons who do not share its opinions, and often extravagant in its theses and its attacks (*Lac* 1151). In 1872 Pius IX spoke out : ' There are in France two parties, one of which lacks humility, the other charity '—' qui oublie totalement les lois de la charité '. Veuillot recognized that the *Univers* was meant, and suspended the paper for a period, ' nous disparaîtrons ' (*Life of Guéranger*, II, 403).

and there seems to be no doubt that the *Univers* was an offender in these respects. Veuillot's reply was short and restrained: If the Bishop's accusations were true, the ecclesiastical authorities would not have tolerated the *Univers* for ten days. It is the fact that it had the support of a number of the bishops, and a large and enthusiastic following among the clergy.

Ollivier speaks in terms of severe condemnation of both these tractates, in themselves and in their effects. Maret's two learned volumes, of 500 pages each, had been read only by theologians and discussed only in the religious periodicals: but Dupanloup's pamphlets stirred the crowd and set loose a prodigious uproar:

> Discussions began in the market-place, and every one took part, even society ladies, between the acts at the Opera. Every discussion of the market-place is of its nature intemperate. A shoal of pamphleteers rushed in with injurious language and extravagant ideas: for them the official theological *ex cathedra* infallibility in faith and morals was not enough; they wanted an infallibility absolute, unconditional, unlimited; an inspired infallibility in matters of science, of politics, of government: the Pope, even if he wished, could not fall into any error public or private. Extravagance of language accompanied extravagance of ideas; invectives, recriminations, outrageous proposals, denunciations, were bandied about.[24]

Maret was an heresiarch; he and Dupanloup and the great Catholic liberals were branded as schismatics, heretics, more dangerous than infidels. The excitement caused by Dupanloup's pamphlets spread to Rome, to the entourage of the Pope. It is pleasing to know that Pio Nono kept his head: 'Oh, the Bishop of Orleans has given proof in defence of the Pope, of the Holy See, and of religion, of a zeal, a devotion, and a courage that I can never forget.'[25]

[24] Ollivier, op. cit., I, 448.
[25] Ollivier, op. cit., I, 448.

It is perhaps necessary to say a word on England. There the controversy never reached the pitch of excitement and bitterness that we have seen in France. Still the *Tablet* did carry on a strong Ultramontane, perhaps even neo-Ultramontane campaign. The owner and editor was Fr. Herbert Vaughan, the future Cardinal, at that time wholly under the influence of Manning and Ward. On the appearance of Dupanloup's *Observations* a leading article accused him of 'servility and tyranny'—afterwards, on a remonstrance from Dupanloup, withdrawn partially;—the 'servility' lying in the desire to avoid creating difficulties for Protestants and Easterns! A respectful tone was maintained towards the Bishop; but on December 4 was printed the following 'Letter from Rome':

> The Bishop of Orleans's late unhappy letter is generally attributed in well-informed quarters to an interview Mgr. Dupanloup had with the Emperor Napoleon at Compiègne a few days before, in which his Majesty offered to present Mgr. Dupanloup to the See of Lyons in consideration of his taking the lead of the Gallican party—[Lyons being the primatial see of France, and the Archbishop nearing his end].

Dupanloup took the trouble to give a categorical denial to this story. The *Tablet* did give great offence and incur strong disapprobation in many quarters: witness the utterances of two of the English bishops:

> The *Dublin Review* and the *Tablet* have taken upon themselves not merely to advocate the infallibility, but to denounce everybody else as little less than heretics and infidels. Another: In regard to the *Tablet* I have not hesitated to express loudly my disapproval, also my apprehension of the serious evil likely to ensue from the course pursued by Herbert Vaughan and his party in England.

Unpleasant reading all this: but necessary for an under-

nding of the atmosphere in which the Council was held
d of the course of events during it.

TE—Though they made a great stir at the time, the cases
passed over here, as not belonging to the actual Council,
Père Hyacinth Loyson, Carmelite, who apostatized; and
bé Gratry, who after vehemently opposing the definition
d the Council, accepted the decrees when enacted.

CHAPTER VIII

# THE FORGATHERING OF THE BISHOPS

Towards the end of November 1869, the bishops from quarters of the world began to forgather in Rome. T will be the place to introduce those who are going to ta foremost parts in the Council.

And first Mgr. Dechamps, Archbishop of Malines, la Cardinal. To my mind he must be looked on as the lea of the Ultramontane Majority. The title Mr. Leslie gives Manning is happily chosen: he was the 'chief whip' of t party; but Dechamps was the leader. He was a great figu in Belgium, brother of the Catholic leader and statesma Shortly after ordination he entered the Order of Redempt ists, and for thirty years worked as preacher, missioner, co troversialist, writer on apologetics on all the great questio of the day. His writings fill fourteen volumes. He was highly trained theologian, and his speeches and pamphl during the Council were among the very best. He was convinced Ultramontane, but of the Bellarmine type, u touched by neo-Ultramontanism. It is probably true to s that no other bishop had so great a hand in the actual formu tion of the two great dogmatic constitutions of the Counc He was a man of great charm and attractive personality; a while uncompromising in urging his views, he was alwa friendly and conciliatory to opponents.[1]

In an English book there can be no need to portray Arc bishop Manning, for his personality is well known.[2] Suff it to repeat that his will inflexibly pursued its objects, and

[1] See Saintrain, *Vie de Cardinal Dechamps*; also Mourret, *Concile Vatican*, p. 169.

[2] See the Lives of him by Purcell and Shane Leslie; also the *Life Bishop Ullathorne*. For French appreciations of Manning, see Mourr op. cit., p. 165; and Ollivier, *L'Église et l'État au Concile du Vatic* II, 8.

entality was such that whatever view he held, he held it with
hole-hearted conviction of its truth, so that to differ from
m was simply to be wrong. His great powers of organiza-
on and diplomacy found an open field at the Council, so that
was the great driving force on the side of the Ultramontane
ajority, and his influence and activities will stand out again
d again in these pages.

Another protagonist on the same side was Cardinal Cullen,
rchbishop of Dublin. He had grown up in the traditions
the Roman schools, and had been Rector of the Irish College
Rome. He was a good hebraist and classicist. On becoming
rchbishop of Dublin he was the great propagator of Ultra-
ontane teaching in Ireland. At the Council, though not one
those most in evidence, he made powerful speeches, being
sound theologian ; and it was he who put forward the actual
rmula in which the Pope's infallibility was defined.[3]

The leaders of the Minority throughout the Council were
e two Austrian Cardinals, Schwarzenberg, Archbishop of
ague, and Rauscher, Archbishop of Vienna. Anyone
shing to form a just estimate of these two men, may read
e articles contributed to the *Catholic Encyclopædia* by Dr.
olfsgruber, a Benedictine of the Schotten, Vienna.[4] They
d proved themselves pillars of the Church and of religion
Austria during the troublous times after the revolutionary
ovements of 1848. They, especially Rauscher, had been
e chief negotiators of the Concordat of 1855 between the
oly See and the Austrian Government. They had pro-
oted a great reorganization of church life in all its aspects,
d a great revival of religion throughout the Austrian Empire
d they stand out as great and devoted Catholic bishops.
auscher was a man of wide erudition, especially in patrology.
n arrival in Rome for the Council 'he was greeted with
iversal respect, and hailed as one of the glories of the
ouncil' (Ollivier).[5]

[3] See art. in *Catholic Encyclopædia*, by his nephew Cardinal Moran. Also
Ollivier, op. cit., II, 9.

[4] A more personal portraiture is given by Ollivier, op. cit., II, 10, 11.
Wolfsgruber has written a massive life of each of them, bringing out
eir great rôle in the religious life of Austria.

Among the German bishops the outstanding figure w
Melchers, Archbishop of Cologne. As professor of theolog
he held and taught as the true theological opinion the i
fallibility of the Pope ; but at the Council he was one of t
chief opponents of defining the doctrine. After the Counc
he was the first of the Opposition bishops to accept public
and promulgate the Vatican decrees, hardly a week after the
enactment. He was a great bishop and Catholic leader
Germany ; and in the struggle with Bismarck over the Fa
Laws he proved his fidelity to the Catholic Church and t
Pope by enduring six months' imprisonment, and then t
years of exile. He resigned his see for sake of peace a
retired to Rome, where he was made Cardinal ; but after
short time he entered the Society of Jesus and died
Jesuit.

The other most outstanding German bishop of t
Minority was Hefele of Rottenburg, Württemberg, perha
the most learned bishop of the Council in the domain of churc
history and patrology. His *History of the Councils* is the class
cal work on the subject. It is probable he was one of the fe
who before and during the Council questioned the doctri
itself of the papal infallibility ; but after the Council
declared his submission to the decrees. He had been one
the consultors called to Rome to prepare for the Council, a
we have seen that what was in one way the most importa
piece of preparatory work was entrusted to him. When the
was question of his being invited to Rome as consultor, t
Nuncio at Munich, while pointing out certain tendencies
his writings, strongly recommended him, bearing witness
' the merit of his works, his priestly virtues, his great love
the Church and of the Apostolic See, and what he had do
for the Church, the papacy, and for Christian life '.[6] He w
made Bishop of Rottenburg on the eve of the Council.

Although most of the Austrian and German bishops we
of the Minority, there were conspicuous exceptions. Not
speak of Fessler, the General Secretary, two of the be
theologians of the Council were Gasser of Brixen and Mart

[6] Cited Granderath, I, Bk. i, c. 6.

of Paderborn,[7] both strong Ultramontanes, who took prominent parts in the proceedings. There were some half-dozen more, among them Senestréy of Ratisbon (Regensburg), Manning's companion in arms in the effort to secure a definition of the infallibility as stringent as could be got through the Council.

Two prominent Hungarian bishops of the Minority were Simor, Archbishop of Esztergom (Gran), Primate of Hungary, and Haynald, Archbishop of Kalocsa. Both of them learned theologians and apostolic bishops, they were conspicuous as two of the best Latin orators at the Council. Haynald as bishop had got into trouble with the Vienna Government for his strongly national Hungarian proclivities and had to withdraw to Rome for some years. He returned to Hungary as Archbishop of Kalocsa. He will appear as one of the most combative of the Minority; yet of him also Manning was able to say: 'Mgr. Haynald never opposed the doctrine or the word. It was he who wrote the word in the Address of 1867, and, as he has told me, he had always taught the doctrine.'[8] Haynald was made Cardinal by Leo XIII; Simor by Pius IX.

Mgr. Strossmayer, Bishop of Bosnia and Sirmium (Slavonia), was the chief fighting member of the Minority, and the storm-centre of most of the 'scenes' of the Vatican Council—there was only one proper scene, be it remarked, to be described in Chapter XV. Of German race, but of a family long domiciled in Croatia, he was by birth and sympathy a Croat and a pan-Slavist, one of the chief pioneers of the South Slavonic national movement that has finally issued in the formation of Jugoslavia. The late Dr. Adrian Fortescue has given a discriminating but sympathetic account of Strossmayer in the *Dublin Review* (October 1918) well worth reading. His diocese, including Bosnia, Dalmatia, with Servia as a vicariate, was in 1870 partly in the Austrian Empire and partly in the Turkish. Thus, though of the

[7] For Martin see *Catholic Encyclopædia*.

[8] Leslie, *Life of Manning*, p. 214. Ollivier gives an interesting and pleasing picture of Haynald, op. cit., II, 11; see also *Catholic Encyclopædia*

Latin Church and the Latin rite, he lived in close contact with churches of Oriental rites, both Orthodox and Uniat; and one of the dominating ideas of his life was to conciliate the Slav Orthodox communions, especially Russia, and reunite them with the Catholic Church. This explains the vehemence of his opposition to the infallibility, in which he saw a fresh barrier to such hopes. He was by universal consent the outstanding Latin orator of the Council. On February 4, 1870, Ullathorne wrote of him:

> Strossmayer sits just under me: he is a warm-hearted affectionate Croat, as eloquent as he is warm, but apt to get over vehement. We have taken quite an affection for each other.

He was a friend of Leo XIII, who wanted to make him Archbishop of Zagreb (Agram) and Cardinal; but the Austrian Government objected, on account of his Slav propaganda.

The bishops of Eastern Europe, as of Hungary, Transylvania, and the Slavonic countries of the then Austrian Empire, living in the presence of strong communities of the Eastern Orthodox Churches, and some of them bishops of Uniat Churches of various Eastern rites, were nearly all strong 'inopportunists' at the Council; they opposed the defining of papal infallibility on the ground that it would bar the door against any hope of the Reunion of the Eastern Orthodox Churches with the Catholic Church of the West. And this was too a principal motive with all those who opposed the definition. The case of the Protestant Bodies weighed similarly with the inopportunist bishops of Protestant lands.

This fear, of putting a difficulty in the way of return to Catholic Unity of those out of communion with the Holy See, was real and valid. In a lecture at Cambridge in 1927, on 'The Russian Church and Prospects of Reunion', Count George Benningsen, a recent convert from Orthodoxy, while setting out certain political obstacles to Reunion, said that the only real outstanding difficulty in the theological order is the doctrine of the papal infallibility as defined at the Council.

And anyone who has had direct personal dealings with Protestants,—I mean, of the real old brand,—will know that with them also it is a principal rock of offence. This is not to say that the definition was not, on the whole, opportune—that the ending of controversy in the Catholic Church itself, and the making unmistakably clear what is involved in Union, was not a good so great as to outweigh the incidental difficulties created for those without. But this objection of the Minority had reality in it, and was not fictitious or factious opposition.

When we turn to the English-speaking countries we meet four archbishops of the United States who were prominent figures at the Council. Spalding of Baltimore was of the Majority that favoured the definition; but he took up a middle position, desiring the definition, but wishing it to be framed implicitly without use of the word 'infallible'. With him stood half a dozen of the United States bishops. But the greater number followed Kenrick of St. Louis and Purcell of Cincinnati in strenuous opposition to the definition. McCloskey of New York also at first opposed. These four were all of them great builders up of the Catholic Church in the middle years of the last century, powerful organizers, zealous pastors, fine bishops.[9] Mgr. Connolly, Archbishop of Halifax, Canada, was another outspoken member of the Minority.

By common consent Verot, Bishop of Savannah, and then of St. Augustine, Florida, was the 'enfant terrible' of the Council. He was born in France, was a Sulpician, and went to the States in 1830. He was probably one of the few real Gallicans at the Council, having made his studies in France at the time that the Gallican articles were publicly taught in the schools. He was a frequent and lengthy speaker at the Council, and the one who succeeded in raising frequent laughs. He was often in conflict with the Presidents because of these sallies; but he received their rebukes with irrepressible good humour. Those who know him only at the Council would be apt to judge him by these encounters; but that would be

[9] See the articles in *Catholic Encyclopædia*.

unjust ; anyone who wishes to judge him justly should read the article on him in *Catholic Encyclopædia*. He was a great bishop of ' boundless zeal and resourcefulness ', who played a giant's part in the work of reconstruction in the South after the catastrophe of the Civil War.

Clifford of Clifton and Moriarty of Kerry were the only members of the English and Irish hierarchies to take a strong inopportunist line. Clifford stands out in the *Life of Bishop Ullathorne* (Index). Moriarty was Newman's great friend among the Irish bishops, and his supporter over the business of the Catholic University. His position at the Council and his character will be seen very clearly in the series of letters to Newman, to be cited in due course. The estimation in which he was held is shown by the fact that in the preface to a volume of his sermons published in 1901, Bishop Coffey of Ardfert and Aghadoe calls him ' the most illustrious of the successors of Brendan '.

Of the Irish Majority bishops Mgr. Leahy, Archbishop of Cashel, should be named : he took a prominent part, and made more than one important speech. If the Italian and Spanish bishops are passed over here, it is because, being almost solidly of the Majority, they are not going to take so conspicuous a part in the public action of the Council. They of course contributed their share of the speeches ; and one of them, d'Avanzo of Calvi, showed himself to be among the best theologians and best speakers of the Council.

We have allowed the French bishops to stand over till the last, because inevitably, the controversy among them was the sharpest and keenest, Gallicanism and neo-Ultramontanism alike being French products. And here special reference should be made to M. Ollivier's characterizations of the leading French bishops, whom he knew well personally.[10] They were divided into three groups, each having at its head a Cardinal. Cardinal Donnet of Bordeaux headed the Ultramontanes, but the outstanding leader was Mgr. Pie, Bishop of Poitiers, made Cardinal by Leo XIII. Son of a village shoe

[10] *L'Église et l'État au Concile du Vatican*, I, 410-24, 442-4 ; II,13-16 also Mourret, *Concile du Vatican*, 161 ff.

maker, he was a big man with red hair, of a dignified and majestic presence. He had by deep study developed a remarkable intelligence; his pastoral and apostolic writings are of a writer at once nervous and elegant, and of a theology of robust calibre (Ollivier). An uncompromising Ultramontane of the school of Bellarmine, we shall see him maintaining a studiously quiet position in the extraconciliar agitations that went on during the Council, like Ullathorne holding aloof from all party movements outside the Council: his name does not figure even among the 450 bishops who petitioned for the introduction of the question of the Pope's infallibility. But in political issues and questions of Church and State Pie was intransigent. He was a strong royalist and legitimist, looking for the restoration of the elder branch of the Bourbons, and of the 'ancien régime'; thus he was an opponent of the Empire, and of modern ideas of parliamentary government, which he included under the condemnation of 'naturalism'. Certainly he was one of the most striking figures of the Council.

Cardinal Bonnechose of Rouen headed a middle party among the French bishops, those who desired the infallibility to be defined, but in the mildest and most conciliatory terms compatible with fixing the doctrine, so as to secure general agreement. Of this group the leaders were Guibert, Archbishop of Tours and later of Paris, and Lavigerie, Archbishop of Algiers, the great missioner, both of them afterwards Cardinals.

The French Inopportunist group was presided over by Cardinal Mathieu, Archbishop of Besançon. If Manning was the chief whip of the infallibilist Majority, Dupanloup was incontestably the chief whip of the Minority, not merely of the French section, but of the whole party. His personality and position have been sufficiently set forth, and his activities at the Council will stand out no less clearly than Manning's.

Distinguished French bishops of the Inopportunist group might be named: Meignan of Chalons, afterwards Archbishop of Tours and Cardinal; he was a sound Scripture scholar and apologist, the chief Catholic combatant against

Renan : Ginoulhiac of Grenoble, translated to the primatial see of Lyons during the Council, pronounced by Ollivier to be the first theologian among the French bishops, and by Mourret to be a prelate ' of great science and profound piety '.[11]

But without question, not Dupanloup but Darboy, Archbishop of Paris, was the most influential leader of the French Inopportunists. He must have been a man of singular personal charm, as witness Manning's tribute :

> The Archbishop of Paris was a man of great culture and intellectual gifts. The playfulness of manner with which he bore himself towards those who were most opposed to him took off all sharpness from the conflict in which they were mutually engaged. We then little thought of the vision of horror in which he was soon to be enveloped, and of the death which should so soon be inflicted on him *in odium Christi*. His heroic refusal, for the sake of others, to save his life has raised him to the fellowship of those who have won a martyr's crown.[12]

But Ollivier's ten pages, with their touching account of his death, are the classical tribute to Darboy :[13]

> Penetration and serenity, reflective resolution and concentrated vigour, a sweet dignity with a winning air that captivated, this is what appeared in his countenance. His powerful spirit, more diplomatist than ecclesiastic, animated a fragile body. Although pious, regular, of exemplary character, and very devoted to his episcopal duties, he was in the line of Richelieu rather than of Vincent de Paul. Gracious, with much urbanity, ready with delicate and amiable sallies, he brought into his intercourse an ease, a grace, a charm, that were irresistible.

He got into trouble with Rome by resisting papal action in his diocese : a curé suspended by his predecessor had appealed

[11] Op. cit., p. 39.
[12] *True Story*, p. 156.
[13] Op. cit., I, 416 ff.

to Rome and the suspension had been removed by the Pope; Darboy would not recognize the act, and persisted in treating him as suspended; and he declared in the Senate that the receiving of such appeals by Rome made the government of his diocese impossible. Also he insisted on making canonical visitations of exempt religious houses. And so for some time he was under a cloud at Rome and with the Ultramontanes of France. In March 1869, on the occasion of Pio Nono's golden jubilee of priesthood, celebrated throughout the Catholic world, Darboy made a declaration of affectionate loyalty and prayer that quite placated the Holy Father. He said to the French Ambassador: 'See this good Archbishop who has been writing to his clergy about me. Oh! (he added smiling) he committed an indiscretion: eh bien, nous voilà bons amis.'

During the Council Darboy was one of the most determined opponents of the definition. Yet on March 2, 1871, as soon as the siege of Paris was raised, he wrote to the Pope to declare that he 'adhered purely and simply' to the decree of July 18.[14] In a letter to *The Times* after Darboy's death at the hand of the Commune, Manning declared:

> I am able to attest that the resistance of the Archbishop of Paris to the definition did not touch the truth of the doctrine, but the expediency of defining that truth. I make this statement not on hearsay, but on personal conference with him in Rome.[15]

Ollivier tells with great beauty and pathos the story of Darboy's tragic death. He was arrested by the Communists, April 4, 1871, and held as a hostage. When urged to fly before arrest, he said: 'I will abide, for I ought to give example to my priests; and my flight would be the signal for a general massacre of priests.' Efforts were made to save him: it has to be said with sorrow that the English Ambassa-

[14] *Lac* 997.

[15] Purcell, *Life of Manning*, II, 468. At the same place is told Manning's endeavour to save him from the Paris Communards.

dor refused to intervene, and it was left to the American Minister to act. He visited the Archbishop in prison and found him bent down under maladies, suffering, pale and haggard, his beard long and unkempt; yet resigned, benevolent, without a word against his gaolers: 'I have never seen such resignation, nor such Christian spirit in any man, nor anyone so raised above the things of the earth.' The Communists offered to exchange him for one of their leaders in the hands of the Government. Thiers refused, 'avec une dureté de cœur inqualifiable' (Ollivier), and Darboy was shot in cold blood, May 24, and died blessing his executioners. When Pius IX heard of it he exclaimed: 'He has washed away his defects in his own blood, and has put on the martyr's robe.'

Ollivier prints 'les superbes paroles' addressed by Darboy to Pio Nono, not to be spoilt by translation:

> Votre blâme est puissant, ô vicaire de Jésus-Christ! Mais votre bénédiction est plus forte encore. Dieu vous a fait asseoir sur la chaire apostolique, entre les deux moitiés de ce siècle, pour absoudre l'une et pour inaugurer l'autre. C'est à vous qu'il appartient de réconcilier la raison avec la foi, la liberté avec l'autorité, la politique avec l'Église. Du haut de la triple majesté dont vous revêtent la religion, l'âge, et le malheur, vous ne sauriez rien dire ni rien faire qui n'ait une portée considérable, qui ne déconcerte ou n'encourage les peuples. Tirez de votre grande âme de pontife une de ces paroles qui amnistient le passé, rassurent le présent, et ouvrent les horizons de l'avenir. L'Europe moderne ressemble au navigateur ballotté par les flots et ne pouvant doubler le cap des tempêtes: institutions et lois, mœurs et croyances, œuvres et doctrine, monarchie illustrée par quatorze siècles de services rendus, empire fait à force de gloire et de génie, trônes s'appuyant sur l'intérêt et l'opinion, depuis soixante ans, l'ouragan de la libre pensée chasse devant lui toutes ces puissantes choses, comme les flots mobiles d'une mer en tourmente. Au milieu de ces agitations et de ces menaces, vous seul, ô pilote

inspiré, successeur du batelier de Galilée, vous seul pouvez aider efficacement l'humanité à doubler le cap orageux de l'avenir et à reprendre, avec moins d'incertitudes et de perils, la route de ses destinées éternelles. Bénissez donc la noble voyageuse, Saint-Père ; bénissez surtout la France, afin qu'elle reste à jamain chrétienne et prospère, et que ses entreprises, fondées sur la justice, soient toujours couronnés par le succès !

So one of the ' enemies ' of the Papacy !

These are the bishops whom we shall see principally figuring on this side and on that, during the Council. And, in spite of the attempts of extremists on either side, pre-eminently the journalists, to vilify their leading opponents, it may with truth be affirmed of these men that they were one and all fine bishops, worthy pastors, and devoted sons of the Catholic Church, loyal to the Holy See and the Holy Father. Their personalities will stand out as the story is unfolded, and we shall get to know most of them familiarly.[16]

As Bishop Ullathorne is, in a way, the central figure in this Story of the Vatican Council, it will be proper to bring out his position in regard to the great controversy : and all the more so, in that he was representative of the great central body of opinion among the bishops that carried the definition as it is. His position is explained in the *Life* (ii, 47). As a theological student he had been brought up on the Four Gallican Articles ; but he had got hold of de Maistre's *Du Pape*, and had assimilated it, and had read himself at an early age out of his Gallicanism into a sober Ultramontanism of the theological Bellarmine type. A letter written to an intimate friend, Bishop Brown of Newport, on the very eve of departure for the Council, defines his position quite clearly :

> The Pope, I believe, is bent on the definition, if he can, as the crowning of his reign, and I think it will in some shape probably pass. What I am anxious most about is to

[16] Ollivier's character sketches should be read, op. cit., I, 405-25 ; II, 6-17.

get a balance on the side of the episcopate, by defining its divine origin as a counter-balance, and by putting landmarks about the *ex cathedra*. If this is not done we shall have a wild enthusiasm, especially on the part of converts; and a disposition on the part of the clergy and even laity to lower the power of the episcopate; and a stronger centralization, leading ultimately to reaction; and a narrower door presented to those who are seeking the Church; and a fanatical extending of the papal prerogatives beyond the fact, after the style of Ward.

In a pastoral letter to his flock just before starting for Rome Ullathorne explained the functions of Pope and Bishops at a General Council:

In a General Council the office of the bishops is twofold: they are witnesses and judges. As a witness, each bishop bears testimony to the traditions, teachings, and customs of the church over which he presides; and so, when all the bishops have given their testimony, the doctrine and practice of the Universal Church becomes manifest. The bishops are also the judges and definers of the questions that come before the Council; hence every bishop signs the decrees of the Council like the Pontiff himself, adding the word *definiens*, which indicates the exercise of the judicial office. It does not, however, follow that the judicial authority of the bishops is equal in its force and result with that of the Supreme Pontiff. This may be illustrated from our own Parliament. For after both Houses of the Legislature have agreed to a Bill, it has no force or effect until it has received the consent and approbation of the Sovereign. Yet we must not forget the difference between the cases. For the authority of the Head of the State is professedly of human institution, even although loyalty to constituted authority rests upon the divine law; but the authority of the Head of the Church rests directly upon the authority of God, and was instituted by God Himself, with the promise that the Church should

be built upon that authority, that faith with that authority should never fail, and that its possessor should 'confirm the brethren' in the things of faith. For to Peter himself and his successors, Christ gave the power of supreme and final judgement, when He established the Church on him as a rock, when He gave him as head pastor the feeding of the entire flock, when to him, first of all, and singularly, He gave the Keys of the Kingdom of Heaven, and the power tobind and loose. It is for the bishops, then, in Council to bear witness, to deliberate, and to deliver their judgements by their votes on the matter in hand; and it is for the Pope to confirm or withhold consent from their decisions. The Church does not consist of body alone, or of head alone, but of head and body moving in joint action; but the head is the crowning authority alike in the Church's capacity of teacher, of lawgiver, and of ruler.

Not all the bishops, however, kept so carefully off contentious ground, and a keen controversy arose, the first brewings of the storm that was to break out at the Council. The first prominent bishop to raise the question was Mgr. Dechamps, Archbishop of Malines, who in May 1869, published a pastoral letter to instruct his flock on the coming Council and the questions likely to be dealt with at it. The title was: *L'Infaillibilité et le Concile Général.* Its tenor was (1) that the doctrine of the Pope's infallibility *ex cathedra* was definable—i.e., it could be declared to be of the deposit of Faith, as revealed by our Lord implicitly in the Petrine texts; (2) that it would be rash, to wish to anticipate the judgement of the Council; (3) that his own expectation was that it would be defined, exposing his reasons in favour of it; (4) that if defined it would not be a new dogma, but a dogmatic definition of a doctrine as old as the Church herself; (5) as against current extravagant ideas, he laid down the theological limitations of the doctrine: the Church's infallibility reaches only to things *per se* and proximately relating to faith and morals, not merely *per accidens* and remotely; it does not require any new 'inspiration'; no pontifical act is *ex cathedra* which

does not expressly declare an obligation of interior assent.

Dechamps received from Pius IX, June 26, a letter of thanks, giving unqualified approval to his clear statement of principles, his doctrine, and his sagacity.[17]

As might be expected, Archbishop Manning took the field with a long letter to his clergy, early in October.[18] He made a statement of the arguments in support of the doctrine of the Pope's infallibility, and strongly urged the reasons in favour of its definition at the Council. He made an appeal to the bishops of France,

> that they should, in this first Council of the Vatican, stand forth to lead the voices of the episcopate in asking that the infallibility of the Vicar of Jesus Christ may be declared by a decree of the Universal Church (p. 122).

At the last moment he added a Postcript dealing with Maret's book, just published.

The following letter of October 26 to his intimate friend, Bishop Brown, discloses Ullathorne's mind on the whole situation:

> Since I have read Janus, I can scarcely think it to be Döllinger's, it is so outrageous and extreme. Dr. Newman, who thinks it will do immense mischief, thinks also that it cannot be Döllinger. It is evident however that the Acton party, now in possession of the *North British Review*, have adopted it, if they have not had a good deal to do with its concoction.[19]
>
> The Unionist party [the A.P.U.C.] had got their book on their Orders ready for the Council, and a petition was going round for signature, submitting on certain terms, if the Council condemned the Orders, when the paragraph in

[17] *Lac* 1261.

[18] Reproduced in the volume *Petri Privilegium*.

[19] In the October number was an article of Acton's in support of 'Janus'.

he *Register* caused alarm, and stopped the whole proceeding. am sorry for this, as it was desirable they should appeal to he Council.

I have it on second-hand authority that the Archbishop was to have put the proposition about infallibility to the Council, and the priest is named to whom he told it. I do not doubt myself but that there was an understanding between him and Rome about it. Only the Continent gave signs which were obliged to be attended to. The result you will see in the last *Tablet* and in the new Pastoral Letter. It is now denied.[20]

It is a certain fact that at our last meeting in Rome [1867] he got a hint from the Pope to check Orleans in the commission for drawing up the Address, and you know what a fight there was between them, and what a different edition Orleans subsequently gave to the story from that we received on the spot.

I think, however much more moderate the Archbishop's new pastoral is, until it reaches the Appendix on Maret's injudicious book, he has committed a blunder by inviting he French bishops to bring the infallibility forward, angry as many of them are against him, and divided as they are nto three parties.

You should have seen the former production before it was revised, and several pages cut out of it; it would have put France in a fury. It was by my advice it was sent to Murray [the principal theologian at Maynooth] after I had given my objections, and others had done the same.

I do believe that moderation will prevail, and that the bulk of the bishops will feel the pressure of the times, and control the enthusiasts. As Grenoble said to me, coming o me in a fury against our friend in the Consistory [1867]: *Ce n'est pas le temps de casser les vitraux.*

On November 6, 1869, the *Tablet* had the following editorial para- ph: We have twice contradicted upon authority the statement that Archbishop of Westminster intends to take the initiative in proposing he Council a definition of the Church's doctrine on the infallibility of Holy See. We repeat for the third time that we have authority for ing that the Archbishop has not, and never has had, any such intention.

[Here comes the piece on the infallibility, cited abov
p. 119.]

I want to see a good chapter drawn up in the Council o
the status, sanctity, and obligations of the pastoral clerg
and some such word as 'pastoral' consecrated to the
designation, that we may not always be tied to that detes
able word 'secular' to mark them off. Everyone to who
I have spoken, the Archbishop and Reisach included, a
think this of the utmost importance for the future wel
being of them who have the real responsibility of souls o
them.

I think also that we ought to have by common law
title for ordaining, especially now that benefices are ever
where gone. 'Ascriptus Diocesi' was proposed as
general title at Trent, but in those days its need was not fel

I have other views I deem of importance, and have lon
meditated on; especially the expedience of active orders
women being cast into diocesan congregations, with dio
cesan novitiates and administration. For teaching brothe
the same.

But I will not tire you with my notions.

Other bishops, as Simor of Esztergom, Primate of Hungar
and Darboy of Paris, issued pastorals of a pacificatory chara
ter, striving to allay the excitements stirred up in the minds
all men, whether Catholics or not.

In such an atmosphere it was that the bishops came togeth
in Rome towards the end of November 1869. It is not su
prising that Ullathorne wrote:

Things are daily growing hotter and hotter, thanks,
great measure, to the constant straining after extremes
the orthodox side. A great deal of controversy is ragi
round the question of proposing the infallibility, and the
will be warm work at Rome. Prayer will have to carry t
Council through.

Dr. Ullathorne arrived in Rome towards the end

vember, and was lodged, along with half a dozen other glish bishops, at the English College. He found himself the thick of controversies that had already blazed out ween Dupanloup and Manning and Dechamps, arising out the letters to their clergy.

n the Postscript to his letter, which Manning had added receipt of Maret's book, as against Maret's thesis, that the pe is infallible, only in conjunction with the body of bishops concourse or consultation, he had laid down the counter-sis, that 'judgements *ex cathedra* are in their essence gements of the Pontiff, apart from the episcopal body, ether congregated or dispersed,'—'even apart from con-cation or consultation with the episcopate as a body, ether congregated or dispersed'.

Dupanloup in his *Observations* had seized on these words, eating them half a dozen times, in the following terms :

quand il prononce seul EN DEHORS DU CORPS ÉPISCOPAL ÉUNI OU DISPERSÉ ; et qu'il peut définir les dogmes seul, ÉPARÉMENT, INDÉPENDAMMENT DE L'ÉPISCOPAT, sans aucun concours exprès ou tacite, antécédent ou conséquent, des vêques.

Manning in a French letter to Dupanloup, written at Rome, vember 25,[21] protested against this translation, saying that denatured' his words, making them seem, by over-phasis, to suggest opposition and scission between Pope l episcopate, and not merely that the Pope speaking *ex edra* is infallible without any concourse of the bishops : l he called on him to retract this publicly.

Dupanloup replied in a printed letter of December 15 : had not intended to suggest that Manning had meant any sion of Pope from episcopate : the translation of Mann-'s words was not his, but that of the *Univers*, which had nted Manning's letter : English friends assured him that French did fairly represent the English. He concluded : nd now that the council is open, let us think of nothing

[21] The letter is incorporated in Dupanloup's reply.

else than to contribute to the great work of pacification a
of light, that the Holy Father wishes for the salvation
souls, and that the world is looking for.'

The controversy with Dechamps was on a higher level a
of greater importance. Dupanloup in the *Observations* h
animadverted on Dechamps' letter as well as Manning
Dechamps now published in Rome, November 30, a lengt
dignified letter to Dupanloup, that in tone of remonstran
and in clear calm counter-statement of the Ultramonta
position leaves nothing to be desired.[22] In so far as serio
theological discussions of the Infallibility is concerned, the
two, Dechamps and Dupanloup, may be taken as the pr
tagonists of the two sides; long letters, really theologi
treatises, continued to pass between them.

The question of 'separate infallibility' continued to be
chief bone of contention throughout the Council. D
champs treats of it in this first reply to Dupanloup:

> When the sovereign Pontiff declares or defines the Fai
> he declares the truth divinely revealed and he declares
> by Scripture and tradition. And how does he decl
> tradition? Sometimes by consulting the bishops; som
> times by convoking Councils; sometimes doing neith
> when tradition is indubitable and springs to the eyes of
> as in the condemnations of Jansenism and Febronianis
> Why then do people speak of 'separate infallibility', as
> the faith of the successor of Peter could ever be exclusiv
> personal, or separate itself from the faith of all the centuri
> If by the term 'separate infallibility' people mean to
> that in order to declare the tradition the Pope has not alw
> the need of convoking Councils, or even of consulting
> bishops, they mean to say what is true, but they say it v
> badly. The Church is a living body, and in order that
> infallibility of the head could be separate, it would
> necessary that the head itself could be separated from
> body.
>
> All these obscurities arise from the fact that people l

[22] *Lac* 1286-95.

sight of the object and nature of the infallibility. It has for object only the preservation of the deposit of faith and to declare when necessary its content; and it is not by new revelations or by inspirations that the supreme doctrinal authority preserves the faith and declares it, but by the fidelity divinely promised to the employment of the means necessary to preserve and declare it.

It is not to the private person, but to the public person that infallibility is promised, and only for the exercise of his supreme charge, the conservation and definition of the Faith. There is no infallibility in acts which are not definitions of faith, or which do not lay upon the whole Church the obligation of believing.

*Ex cathedra* means the teaching given by the head of the Church when he speaks, not as a private person, but as the supreme authority, and when he proposes to the Church as a dogma of faith a truth contained in the deposit of revelation. All *ex cathedra* definitions have this threefold character: they come from the Pope as Pope; they are addressed to the universal Church; and they are proposed to it to be believed as a dogma of faith, a truth contained in the deposit of revelation. Pontifical documents which have not this threefold character are not definitions *ex cathedra*. The thing has always been clear, and whenever a Pope has defined dogmatically the Church has never been in doubt as to the fact. When he promulgates a dogmatic decree he promulgates a law, and he gives it the clearness of a law. If then certain theologians wish to see dogmatic definitions everywhere, in every rescript, in every Latin letter, in every brief, in every one of the acts or words of the Holy Father, we must just let them abound and not trouble ourselves over it.

So like are many turns of expression in this piece to those of the dogmatic preamble to the definition, that Dechamp's hand in the formulation of the decree may clearly be discerned.

After arrival in Rome and before the beginning of the

Council Ullathorne sent two letters home, picturing the atmosphere that he found there :

Nov. 26, 1869. It is expected that the Council will last until end of June at least. The Congregation Aula is ready and very handsome, in one transept of St. Peter's.

There is much excitement about the Bishop of Orleans' attack on Archbishop Manning. Every one thinks he has gone much too far. One paragraph is insulting to the Holy Father. It will require great prudence to avoid a severe conflict in the Council. But Rome has a large store of prudence for emergencies, and I think they will scarcely let the question (i.e. Infallibility) come on early at all events. For my part I think it better that extreme parties should show what is in them before entering the Council, as it will show beforehand the great prudence and management required. I hear much and say but little for the present. As soon as we assemble, we shall have the printed materials of the committees of the last two years in our hands.

The Pope has just sent the English bishops a present of twenty-four woodcocks. He is very well. He receives the bishops by nations. Our audience will be on Monday or Tuesday.

Nov. 29. The Archbishop asked me to ride with him yesterday, and assured me with every solemnity that there never was an understanding that he was to bring on *the question.* I told him what I had heard had been said by Lockhart and de Lisle. He still denied, but would write to Lockhart. I then told him I should have congratulated him on his pastoral, if he had not called on the French Church to act, and had not written the hasty Postscript. He said the French bishops thought otherwise. I replied, 'Some of them no doubt.' Now Grant [the Bishop of Southwark] had revised it, and advised him not to touch the French Church, etc.; but he changed nothing, and still sees all things in rose colour. He admitted the Postscript was a rapid addition.

If *the question* comes on early by being forced it will put

the Council in a strife. If it is delayed, as I think it will be, for I believe it is not amongst the prepared *proposita*, all will go well. I think it will not, and that we shall set to the prepared business. The Pope says to a special friend that he has said nothing about it.

CHAPTER IX

# GETTING UNDER WAY

The Vatican Council began with a Presynodal Congregation held on December 2 in the Sistine Chapel.[1] The Pope made an Allocution, and then nominated the five Cardinals who, in his name and with his authority, were to preside over the General Congregations: they were Cardinals Reisach, de Luca, Bizzarri, Bilio, Capalti; on Reisach's death, December 29, Cardinal de Angelis was put in his place. Bishop Fessler of Sankt Polten, Austria, was appointed Secretary of the Council; also were appointed a number of other officials, including a body of twenty-four stenographers. A brief, 'Multiplices inter', was issued, laying down the order of procedure at the Council. Ullathorne wrote:

> Dec. 2. A solemn Novena is going on all over Rome prior to the Council, and Exposition in nearly all the churches that one enters. This morning the bishops were all packed in the Sistine, the whole body of which was filled with seats, and the prelates also filling the space behind the screen. 405 had arrived last night, and they now come in very fast. The snows on the Alps have sent a number back to come by sea, including Bishops Clifford and Amherst not yet arrived. The Pope gave the most beautiful Allocution, I think, he ever gave. No doubt you will have it in the newspapers. The officials of the Synod were then appointed and sworn to secrecy, and the regulations of the Synod were distributed in print. This was the work this morning of the presynodal assembly.

[1] Mansi, II (50), 1; *Lac* 13.

The Rules of Procedure of the 'Multiplices inter', pro-ulgated at the Presynodal Congregation on December 2 d best be set forth here.[2] It was laid down that the right proposing questions for the consideration of the Council as vested in the Pope; but the bishops were invited to ggest subjects in writing to a special Congregation set up r the purpose of considering such proposals and reporting the Pope, with whom rested the final decision whether they ould be brought before the Council.

The business of the Council was to be transacted in General ngregations and Public Sessions, the latter being the solemn d final functions marking each stage of the Council. The ocedure was that the schemata on the different topics, pre-red beforehand by the commissions of theologians and nonists, should be distributed in print to all the Fathers some ys before being brought forward at a General Congrega-n: anyone desirous to speak should give notice before-nd to the Cardinal Presidents, and they should all speak in der of precedence. When all on the official list had spoken, hers might speak with permission. If no serious difficulty discussion arose, the schema might be passed forthwith by e Congregation; but to meet the case of difficulties appear-g, four Deputations, each of twenty-four Fathers, should be ected by secret ballot, for Faith, for Discipline, for Regulars, d for the Eastern Churches and Missions. Matters in ntroversy should be referred to the proper deputation or mmittee whose deliberations and report should be printed d circulated to all the Fathers, to be voted at another eneral Congregation after further discussion, the Fathers ing allowed to read their vote and the reasons impelling em to it.

When a schema had been finally passed at a General ngregation, a Public Session would be held, presided over the Pope. The decrees and canons would be solemnly oclaimed and the Fathers would give their votes 'placet' 'non placet'. The result of the voting would be told to e Pope, and if favourable, he would order them to be pro-

[2] Mansi, I (49), 1271 (in vol. 50); *Lac* 17.

mulgated by the formula : The decrees just read have please
all the Fathers, so many excepted ; and We, with the approv
of the Sacred Council, decree enact and sanction them as rea
The letter of December 2 goes on :

Rome is tranquil, and all is peaceful, except that th
Bishop of Orleans' pastoral [*Observations*] has raised muc
excitement amongst the prelates ; nor is it the only one tha
has done so ! Replies are coming out, and so we hav
a combat outside and before the Synod begins. But I ap
prehend we shall begin our steady work next week, an
Rome is too prudent to put before the Synod, at its com
mencement, any topic that would divide the prelacy.

Of course we shall be all bound to secrecy as to wha
passes in the Council, and you will have endless unreliabl
reports. But depend upon it the bishops will be inter
upon their grave responsibility, and will be immersed i
what concerns the real wants of the Church.

From all I see of the bishops, I believe that never di
a Council begin in better or holier dispositions. And th
Holy Father is certainly most solicitous that prayer shall no
be wanting.

The Council apartment was only prepared for 50
bishops, and they have had to increase the accommodatio
considerably since. I think we shall surpass Chalcedon i
numbers.

I hear the Archbishop [Manning] is preparing a repl
to the Bishop of Orleans, aided by one or two othe
bishops ; so the war will go on.

Dec. 6. Our two missing bishops, Clifford and Amhers
are come at last, so we shall now get our audience. Propa
ganda is working day and night to clear off its affairs. Afte
three calls, I found Cardinal Barnabò, as usual, among
the clerks. As soon as he saw me, up he came—' Wh
Ullathorne ' grasping me round, and pressing one chee
after the other, ' What has made your hair so grey? '
could only return the compliment ; but he was warm an

affectionate as an old friend could be. He then whispered the thing of all others I wanted to bring about. He said: 'Get your bishops to meet and agree what you want, and join with the Americans and others, where you agree, and I will meet you whenever you like, after you have got your wants on paper.' The American bishops are strong on many points. Halifax (Connolly) wants a special Congregation formed in place of Propaganda, and that we pay for our work in fees. I don't see this as he does.

The zealants are determined to press on *the question*, our Archbishop, Plantier, Pie, and Mermillod, etc.[3] All I ask is that it does not come on early. As to my own line on the point, if it comes on, I have satisfied myself.

A reply to Orleans is expected daily from Dechamps. It is said another is preparing by our Archbishop, aided by others. I think perhaps not, but he is immensely active.

The Pope did not come down to the Capella, he is reserving himself for the Session, which will last six or seven hours. After it begins I shall be tied to secrecy as to what passes. But the Pope has given the bishops the election to each of the four special deputations of twenty-four bishops to each, retaining none to himself. I am making all inquiries I can about the qualities of different men of the various nations for the voting.

The Spaniards have proposed to vote for our men, if we will vote for theirs for the special deputations. Some contrivance is necessary to get at unanimity. If each nation thus agreed as to its own men, it must turn them up at last.

600 bishops had arrived last night, preparations are now made for 800 in the aula [hall]; with the cardinals, officials, theologians, etc., 1400 persons are calculated. I hear the division of the aula from the nave is made to roll back, so the people will see something. The whole Session will be in the aula.

The day after to-morrow comes the opening Session, when we shall get the matters that are prepared, and start

[3] Plantier of Nimes, Pie of Poitiers, Mermillod Auxiliary of Geneva.

in earnest. The first Congregation will be on Friday, th second day after the Session. I left a letter with Cardin Caterini explaining more fully why Dr. Newman did n come.

We expect our audience to-morrow.

Writing on the same day Bishop Amherst of Northampto described the aula :

> The hall of the Council is admirably managed. Yo see nothing of it on entering the church, so that strange obtain the full effect as usual. It is in the right transept you go up, and is walled off by what looks like a massi partition of solid marble of various colours, with an in mense pair of bronze doors. But the whole thing folds u like a screen ; and on the opening day and other publ functions there will be no obstruction to the view from th dome and the opposite transept. There are reading-room withdrawing-rooms, etc., managed in an extraordinari clever way.[4]

The Council was formally opened at the First Public Sessio by Pius IX in person, on December 8, the Feast of the Imm culate Conception of the Blessed Virgin Mary. The offici Acts, along with the Pope's Allocution are given, Man II (50), 7-36, and *Lac* 27-44. The Pope put to the bishops th question :

> Right Reverend Fathers, does it please you, for the prai and glory of the Holy and Undivided Trinity, for th increase and exaltation of the Faith and the Catholic religio for the extirpation of current errors, for the reformation the clergy and the Christian people, for the common pea and concord of all, that the beginning of the sacred œc

[4] The extracts from Bishop Amherst's letters, etc., are taken from t printed Memoir, *Francis Kerril Amherst*, 1903. My endeavours to tra these papers have been unavailing. Besides letters there was a Dia he kept during the Council that would have been of great interest. I was inclined to the inopportunist attitude.

menical Vatican Council be made, and be declared now to have taken place?

The bishops answered 'placet' by acclamation, and the ope said: 'The Decree just read has pleased the Fathers ithout dissentient, and We, the Sacred Council approving, ecree, ordain, and ratify it as read'

Ullathorne described the scene in a letter the following day:

Dec. 9. The opening Session was held yesterday. Such an assemblage of prelates, whether you consider numbers, or the character of their training and breadth of experience, was never witnessed in this world before. About 7 a.m. began the move towards the Vatican. By 9 all were assembled in the great hall above the Portico of St. Peter's, formed into a chapel. Four rows on each side from one end to the other of prelates, waited the Pope's coming. The rain poured all day. But we were unconscious of what was passing in the outer world. At 9 the procession moved, turning from the Scala Regia into the porch of St. Peter's, up the nave, the Blessed Sacrament being exposed on the high altar, and so it turned into the aula conciliaris, the screen separating it from the body of the church being drawn back during all the function.

When all, after the protracted winding in of procession of prelates, were seated the scene was marvellous. You will have it all in the newspaper description, but you cannot easily realize the effect of those two long ranges of prelates rising in eight tiers on each side, in silver copes, and pure linen mitres. There were some 600 bishops besides the cardinals ranged from the two sides of the apse, ten patriarchs in advance of them, and the abbots and generals of Orders down in front of the bishops, the officials occupying the mid-space between.

The royal persons, including the King of Naples, ex-Dukes of Tuscany and Parma, Empress of Austria, etc., and the ambassadors, had tribunes on the sides above the Fathers of the Council. Above them was another tribune

on each side for the theologians of the Council, amongst whom I saw several Dominican fathers. Outside was the dense mass of the faithful, and the sound of their voices and feet was as the sound of many murmuring waters or a seashore.

The 'Veni Creator' was the processional hymn. The Pope chanted the prayers before the Blessed Sacrament at the high altar before entering the aula. The Mass of the feast was sung by the Cardinal Dean at an altar at the entrance end of the Council, the Pope being in the opposite apse. Before the last gospel the sermon was preached by a Capuchin bishop.[5] The Pope then vested in pontificals. The prayers were recited by him with short intervals of silent meditation. The Litanies of the Saints were chanted and responded to by all the bishops. The Gospels were enthroned on the altar of the Synod. The Gospel of the Synod was chanted—the one in Luke where Our Lord instructs the Seventy-two before sending them forth. The 'Veni Creator' was again intoned by the Pope and sung in alternate verses by the choir and the bishops, the people beyond joining like a distant echo. And after the Pope had sung the prayer, the aula ought to have been closed for the voting the decrees, and all but the Council commanded to withdraw; but as the decrees were matters of course, and as there would have been an unnecessary delicacy in ordering the Royal personages to withdraw, they were proposed in public. First the decree for opening of the Synod was put to the 'placet', and then the decree fixing the Session to be next held for the feast of the Epiphany. They were read by a bishop from the pulpit in the centre of the floor, and in response to each, the bishops rang out in a loud volume of sound their 'Placet', and the decrees were registered. The Pope read an Allocution the 'Te Deum' was grandly chanted, and at 3 o'clock the Pope had retired, and the bishops were winding their slow way out to the unvesting chapels, recognitions of old friends taking place in all directions amongst them. You

[5] Mansi II (50), 12; *Lac* 764.

saw continental prelates meeting their old school companions come from remote and strange countries, and all sorts of joys, tendernesses, and congratulations.

As you may wish to know where I sit in the Synod, know that I am in the third row from the top, having the primates and archbishops at my back, being amongst the few nominations of Gregory XVI; my number on the seat is 275, the numbers going from 1 to about 900, including primates, archbishops and bishops; and I have one of the snuggest places, as it is in the division nearest the Pope, and just the outside corner seat, from which I can slip out without having to tread on anyone's toes.

To-morrow we have the first Congregation to vote the judges of excuses, and the judges of complaints, and the members of the four special deputations. Then we shall receive the printed matter from the preparatory commissions that have been working the last two years, and shall set to real work.

What I have alone been anxious about has been that the question so much debated before the Synod should not be allowed to come on at the beginning. I had a talk with the large-headed Secretary of the Synod [Bishop Fessler] in the Pope's antechamber the day before, and he assured me that this would be the case; and in the audience the Pope gave us English bishops on that day, he also said that what has already been prepared will come on first. This is like Rome's prudence. When the Synod has once got under its normal influences, I do not fear for any question that may come on before it.

In a letter of Dec. 8 Bishop Amherst writes:

We have returned from the great ceremony of opening the Council, which lasted from 8.30 a.m. to 3.30 p.m.; but it was magnificent beyond description, and well worth a little fatigue. As far as I can make out there were 659 bishops present; and the effect of all that number, with the Pope on his throne at their head, all in white copes and

mitres, is quite indescribable. We all walked into S
Peter's behind the Pope, who was carried on men's shou
ders in his chair of state. The Zouaves kept a narrow pass
age open for us, the enormous church being literall
crammed.

The Blessed Sacrament was exposed on the high alta
and we only genuflected and passed on into the hall of th
Council, at one end of which is the altar for Mass, at th
other the throne.

The cardinals sit in a large semi-circle on each side o
the Pope, and the patriarchs in a smaller and inner one
then there are eight or ten steps down to the floor, and th
bishops are placed at each side of the hall in five rows o
seats rising one above the other. The seats are very com
fortable, and each has a small table which hangs by hinge
on the back of the bench in front, and can be used eithe
sloping as a desk or flat like an ordinary table.

All the people in the church joined in the 'Veni Creator
the Litanies, and the 'Te Deum'; and those who wer
outside say the effect was wonderful. They tell me tha
there were 50,000 people in the church.

The first General Congregation was on December 10
There were present 43 cardinals, 605 bishops, 31 abbots an
generals of religious orders: 679 in all. The Gener
Congregations always opened with a Low Mass 'de Spirit
Sancto' celebrated by an archbishop. The names wer
announced of the special Congregation of twenty-six
'Congregatio de postulatis', appointed by the Pope to con
sider proposals made by bishops of matters to be brough
before the Council to be reported on to the Pope, with whom
the final decision lay. There were twelve cardinals—amon
them Rauscher, Archbishop of Vienna, Bonnechose of Roue
Cullen of Dublin; and fourteen archbishops and bishops—
among them the Patriarchs of Antioch (Melchite), an
Jerusalem (Latin); the Archbishops of Tours, Turi

[6] Mansi, 11 (50), 35; *Lac* 710.

Baltimore, Westminster, Malines, and the Bishop of Paderborn (Martin).

The schema prepared by the theologians for the dogmatic constitution 'On Catholic doctrine, against the manifold errors flowing from rationalism', was distributed among the bishops. The election also took place of a board of five Judges of Excuses, to consider application for permission to depart from the Council, which became numerous as time wore on; and another board of five Judges of Complaints and Controversies that might arise on personal matters, as of precedence, etc. An attempt was made to count the votes, but it at once appeared that this was going to be a lengthy process, 'dececerunt scrutantes in scrutino' (Psalm, lxiii, 7), said the Secretary; accordingly it was proposed by the Presidents and carried unanimously that a board of scrutators be set up, to count the votes after the Congregation and announce the result at the following one. This method was pursued at all elections.

Of the Congregation Ullathorne wrote the same day:

Dec. 10. We had the first General Congregation this morning, lasting from 9 to 1. The four Cardinal Delegates presided. The next will be on Tuesday the 14th.

In our audience with the Pope on the 7th, we found him looking very well. He stood, and gave us, the English bishops, a little address on the spirit of the Synod, and then solemnly blessed all our clergy, nuns, and people, and specially our special friends. After which he saw our priests.

From the English-speaking countries there are about 146 bishops, Italians 100, Spaniards including their Colonies 100, French 70, Germans 40, etc.; so you see England has most subjects of any nation in the Council, only you must put 40 out for the United States.[7] My next neighbour in the Council is a Frenchman from the Burmese Empire,

[7] The number of Italians is much under the mark; there were over two hundred.

speaking English well and interesting about the Buddhists next to him is the Bishop of Charleston; behind me ar two North American archbishops; before me is Bisho Persico, a Capuchin once on the English mission. Thi may illustrate the force of the English language in th Council.

Battle over the definition of the Pope's infallibility was after the skirmishing already described, first definitely en gaged over the election of the deputation on Faith, whic took place at the second General Congregation, December 14 It will perhaps be best to hear first Ullathorne's growls, an then the full story of the transaction will be recorded.

Dec. 16. We are now in the agony of electing the specia deputation *de Fide*. Everybody feels that on the twenty four much will depend when *the question* comes on. W are waiting for the result of the scrutiny, the lists havin been given in at Tuesday's Congregation. After a failure we English got a meeting at the last day before the Congre gation, and, to the Archbishop's surprise, evinced by sundr snortings[8] and extra politeness, we turned up Dr. Gran by our secret votes. The Irish and Americans took up ou vote, and we theirs. But the Spaniards had put out a lithograph list, taken up by all the sheep tribe, who follow at a gap. The French are divided into two camps, thirty five in one, under Cardinal Bonnechose [the infallibilists] thirty-four under Cardinal Mathieu [the inopportunists] one solitary bishop hanging between the two and attendin both meetings. The Germans are also divided into tw parties. Everybody believes the Spanish list was con cocted by and with Manning, Dechamps, Pie, Plantier an Mermillod. Mermillod wrote to propose St. Austin' example of retractation to Dupanloup.

The Americans want all the English speakers to act a a body, and through Dr. Moriarty [Kerry] they propose it to me. But I recommended them to consult de Luca a

[8] Manning had a way of sniffing when annoyed.

President of the Council before making any reunion beyond that of individual nations. And on sounding the higher Irish prelates, they evidently were a little shy of the go-ahead Americans, although the Australians want it. This is only for making certain *proposita*. All the cautious people, as opposed to the zelantes, feel that our Archbishop's rooms are the centre of a determined intrigue, and that if they get their committee it is because they are organized, restlessly active, and have the strongest backing. It will only transfer the conflict to the General Congregation.[9]

We are calling out for a smaller place for the debates, and I suppose we shall get one. The present aula is utterly impracticable for deliberation, though well suited for Sessions. There is talk of the Sistine, but it is long and narrow and high; some cry out for a small church.

You may rely on it this Council will do great service to religion. The matter we have already in hand is admirable. The Pope has also issued a constitution annihilating a quantity of effete censures, and reducing all that remain into one schedule, abolishing all else that are incurred *de jure*.[10] This shows that we shall have clean work. On the Constitution *de Fide* now waiting debate, I can say nothing, as it is under pontifical secrecy. There were 678 valid votes for the appointing the Judices querelarum and excusationum, not including votes that failed from some defect. All the members of the Council are not yet however arrived. I don't think we shall have much matter ready for the Session on Epiphany. There seems no likelihood of another Congregation this week.

I have just heard that the French on Orleans' side are not more than twenty-one, and that Cardinal Mathieu finds himself in so awkward a position that he has asked for leave of absence. This comes of connexion with Orleans. The *dogma* is certain to be brought in by the zelantes, and my

[9] It is perhaps worth noting that we shall later on find Manning also using this ugly word 'intrigue' of the proceedings of his opponents (Purcell, *Life of Manning*, II, 455). After all, 'intrigue' is the recognized word by which we all designate diplomatic action displeasing to us.

[10] The bull 'Apostolicae Sedis'.

impression is that it will pass ; all depends on the terms of it. Every engine that can is being brought to bear upon it.

I think it not unlikely that I may come on either the Discipline or Regulars deputation, more probably the latter. But I shall not be sorry to be free from them, though I do not much mind. I quite expect the Archbishop will be on the one *de Fide*, though many votes will be for Grant.

Dec. 18. What I told you before I left is even more true than I had anticipated about the need of open ears and a guarded mouth. There has been much excitement and diplomacy amongst the Fathers about the election of the twenty-four for the special deputation on definitions of faith, and we English are not the only ones, though the chief ones, whose united wish, *one excepted*, has been outwitted by what everybody considers an intrigue. However, our character, conscience, and self-respect is saved. All the world knows that most of the nations have got the man on it they wished, except ourselves. We chose and put forward Bishop Grant as our ablest theologian, and several nations and half-nations voted with us ; but there is an intense passion in certain men, committed beforehand to a certain definition, in whose zeal we had more confidence than in their discretion, and of course you will know which Englishman was manœuvred upon it. Still, the General Congregation has first to entertain each subject, and it will only go to the special deputation if any great difficulty arises, after which it returns to the General Congregation. It is supposed that what has been done will only result in throwing the point into sharp controversy in the General Congregation. All we have done yet is to elect that one deputation, and the scrutiny of some 20,000 votes, each one voting for 24 names, has taken three days to get through. We elect the deputation on affairs of Ecclesiastical Discipline and on Diplomacy on Monday the 20th. I am recommended for this deputation and have just received a list put forth by several nations with my name on the list. You need not tell everybody this. I

should have preferred the deputation for Regulars, but it can't be helped. I suppose Bishop Grant will have that. I shall not be sorry if I escape the election.

The aula of the Council is to be arranged afresh, the prelates brought closer together, and I hear an awning stretched over it is 150 feet high and opens into the great dome. It is impossible to carry on a discussion in it as arranged. and it is only a new experiment to meet a difficulty. If it fails, we shall have to take another place for the Congregations, reserving the aula for Sessions. We have still two more deputations to vote, and shall get to no real work until after the Christmas holidays. Depend on it, it will be a long affair, and happy shall we be if we finish with June. The French and Germans are so divided that each of these nations meets in two separate bodies, all however on one point of policy. There is no difference as to doctrine. From what has come into our hands already, under pontifical secrecy, I can say that the work will be wide-reaching and of a thorough character.

I have just got five documents from the Papal messenger, two regulating the Christmas functions. The Pope is to preside at the Vespers, and sing the last Mass, but not to have a midnight function. One announcing Monday's Congregation, a form of schedule for the next voting, and with the list elected in the last Congregation as turned up in scrutiny. We have already a folio vol. of papers. The Pope says, if the Council lasts six months, he will be bankrupt.[11] It is an actual fact that one of the well-off cardinals wrote to claim the Pope's hospitality which was only intended for poor bishops, such as the struggling remote missioners.

When the discussions begin they will be daily printed, and ready for next morning. Each reporter is to write for five minutes, then another takes up the word, and he retires to write in full for the printer. We expect some

[11] A *bon mot* of Pio Nono is recorded: 'Non so se il Papa uscirà di esto Concilio fallible od infallible; ma questo è *certo* che sarà fallito' ankrupt).

severe debates on certain points. It is thus that the human element gets cleaned off, and the pure truth is finally left standing. This, you know, is the literal sense of the Latin word ' disputatio ', the pruning away of superfluity and incumbrance from the vine.

The facts of what Ullathorne qualifies as an ' intrigue ' are known, and were not disavowed but gloried in by Manning. The important rôle going to be played by the deputation on Faith, particularly in regard to the issue uppermost in all minds, the definition of the Pope's infallibility, was evident to all ; also the need of some kind of organization to bring order into elections made by a crowd of 700 bishops from all quarters of the globe, for the most part quite unknown to each other. In such circumstances it was inevitable that the extremists on both sides should meet to take concerted action in furtherance of their views ; and so in fact from the outset private international committees, on the one side and on the other, were formed. Naturally, each side said it was the others that began ; we shall hear Ullathorne's judgement that it was the ' zelantes ' for the definition that began : but in any case it was in the nature of things that each side should try to organize its forces and propagate its ideas. Manning relates the beginning of the international committee of infallibilists :

> Ratisbon, Carcassonne, Malines, Paderborn, and I began meeting in order to watch and counteract the French and German bishops who were united in an international committee. We met at my rooms and Ratisbon's and Paderborn's rooms, and finally at the Villa Caserta [the Redemptorist's Roman house].[12]

Ullathorne has given the same names of the ' zelantes ' adding Plantier and Mermillod ; he adds also Pie of Poitiers but in this he was wrong : Pie was a strong Ultramontane but he kept aloof from all extra-conciliar movements, and

[12] Purcell, *Manning*, II, 453.

took no part in the activities of the committee. Thus the inner circles of infallibilists who were acting together to push forward the definition of the infallibility were: Manning, Senestréy of Ratisbon, Dechamps of Malines, Martin of Paderborn, Roullet de la Bouilleries of Carcassonne, Plantier of Nîmes, Mermillod coadjutor of Geneva. Others co-operated, but these were the moving spirits.

Their first objective was the election of the deputation *de Fide*. A preamble to the Acts of the deputation relates how the election was brought off.[13] A meeting of the committee was attended by some forty infallibilist bishops, and it was agreed (1) that no one should be elected to the deputation who was opposed to the definition; (2) that those to be elected should be taken from the various nations; (3) that the names chosen should be transmitted to the Archbishop of Westminster. In this way a list of twenty-four names, all favourable to the definition, was formed; it was submitted to the influential Cardinal de Angelis, later, but not at the time, one of the Presidents, in place of Reisach; the list was then lithographed and distributed among the bishops, as being approved by Cardinal de Angelis, and 'in honorem Beatae Mariae immaculate conceptae'. The result was that the whole list of twenty-four was elected, the Minority not securing the return of a single representative to voice its views at the deputation *de Fide*, the most important committee of the Council.

After going through the proceedings of the entire Council, I have to say that this appears to me as the one serious blot on its doings. It was surely an error of judgement not to accord to a considerable and influential minority, counting among its members a number of the foremost and most justly respected bishops of the Church, some representation, some vehicle for the expression of its views on this committee. The practical effect was that the Minority became an Opposition, exasperated by the sense that the Majority was bent on overwhelming it by mere force of numbers, without giving it a fair hearing. And it afforded to the enemies of the Council

[13] Mansi, v (53), 157; *Lac* 1646.

outside one of their most effective weapons in inveighing against the lack of real freedom of the bishops, contending that the appearance of election was camouflage, everything being engineered by the Curia. Some of the bishops felt the like; one put in a blank voting paper with the words: 'I leave it to Cardinal de Angelis to enter the names of those who enjoy his protection.'

For this proceeding it seems that Manning has to take the responsibility. It was not in accordance with the Pope's wish.[14] On the important Congregation *de postulatis*, nominated by himself, out of twenty-six members he had appointed at least three from the Minority: Cardinal Rauscher of Vienna, the Melchite Patriarch of Antioch, and the Archbishop of Turin; also representatives of the 'third' or middle party. And it was his expressed wish that representatives of the Minority and Dupanloup by name,[15] should be on the deputation *de Fide*, in order that the Minority might not feel aggrieved at having no advocate on it. The same was urged at the preliminary meeting by the Latin Patriarch of Jerusalem and Cardinal Corsi, Archbishop of Pisa, both of the Majority. But Manning was inflexible. As a contemporary letter had it, perhaps ironically: 'The humble convert, Mgr. Manning, resisted the proposal and brought about its abandonment.' 'See', says Granderath, 'on the one side the Pope, the Patriarch, and Cardinal Corsi; and on the other a simple member of the Council, Mgr. Manning': —this to show that the responsibility for the total exclusion of the Minority did not lie with the Curia. One cannot but think it regrettable that Manning's Ultramontane principle, 'sentire cum Papa', did not on this occasion make him bow to the Pope's wish; but 'heretics', he said, 'come to a Council to be heard and condemned, not to take part in formulating doctrine'. It seems that the Pope was somewhat disturbed at this intransigent action, and we know that Pie of Poitiers, leading Ultramontane though he was, and himself elected

[14] On the episode see Granderath, II, Bk. i, c. 5; Mourret, *Concile du Vatican*, 150 ff.

[15] See *Vatican*, p. 15.

second in the poll, disapproved of the whole proceeding, comparing the tactics to the official candidatures of governments and municipalities, and saying he had had no part in it.[16]

Acton, who was on the spot and in close touch with the Minority Bishops, and knew their mentality well, declared that but for this mistake the Infallibility would have gone through relatively easily:[17]

> A proposal was made on very high authority that the list should be drawn up so as to represent the different opinions fairly, and to include some of the chief opponents. . . . If these sagacious counsels had been followed, the harvest of July might have been gathered in January, and the reaction that was excited in the long struggle that ensued might have been prevented.

Of course the other party also put out its list; the statement of the preamble to the Acts of the deputation, that this list was similarly made up wholly of Minority bishops, is not correct; while seeking to secure a working majority, the list gave at least seven places to those of the opposite view, two being also on the Majority list and actually elected.[18] As things turned out the Minority had one to represent it. By a mistake Archbishop Simor, the Primate of Hungary, was included in the committee's list; before leaving home he had issued a pastoral letter of strong Ultramontane tenor;[19] but on arrival at Rome he went over to the Minority.

Ullathorne's letters have shown how displeased the English bishops were at their candidate, Dr. Grant, not being elected, and all the more in that he was known to be an infallibilist, though of a less ardent kind than Manning. But seeing that Manning was the heart and soul of the zelantist self-appointed committee of selection, and was the chief

[16] Mourret, op. cit., 152.

[17] 'The Vatican Council', *North British Review*, Oct. 1870: reprinted in vol. of Essays, *The History of Freedom*, etc., p. 529.

[18] Granderath gives the Minority list, II, Bk. i, c. 5, p. 69, note.

[19] *Lac* 1296.

driving force on that side, it was inevitable he should be on the list adopted by the committee. As a matter of fact, the lithographed list was in circulation before the meeting of the English bishops that elected Grant. Manning's account of how he came to be on the deputation is not correct :[20] it was not that the Italian bishops put him on their list, but that he was on the list circulated by his own committee.

This election of the deputation *de Fide* was the first trial of strength between the parties, and it brought out into clear light the indisputable fact that the advocates of the infallibility and its definition were in a decisively preponderating majority.

At the third Congregation, December 20, the names of the deputation on Faith were officially promulgated, and the votes taken for the deputation on Discipline. It will be well to consider the composition of the deputation on Faith, which played so important a rôle at the Council. A Spaniard was at the top of the poll, the Dominican Archbishop of Saragossa ; second was Pie of Poitiers, the leading French Ultramontane bishop ; third Leahy, Archbishop of Cashel, Ireland ; fourth Régnier of Cambrai ; fifth Simor, Primate of Hungary : of the rest may be named Ledochowski of Gnesen and Posen, Senestréy of Ratisbon (Regensburg), Dechamps, Spalding, Gasser of Brixen, Manning (the nineteenth), Martin of Paderborn. They were well distributed among the nations : Italy had three ; the following countries two each, Spain, France, Germany, United States, South America, and there were two Orientals ; the following had one each, Austria, Hungary, Poland (Prussian), Holland, Ireland, Belgium, Switzerland, England, and a Vicar Apostolic from India. They were all intended to be of the one theological colour in regard to the defining of the infallibility ; and in fact they all were, except Simor of Esztergom.

After the sweeping victory on the deputation *de Fide*, the one that really mattered, the Majority allowed the Minority to have an adequate representation on the other three deputations. The votes for the deputation on ecclesiastical discipline were cast on 20th. Ullathorne wrote :

[20] Purcell, *Manning*, 454.

Dec. 20. This morning we had a General Congregation for election of the second deputation of discipline and diplomacy. It will be two days before we know the result, but from all I hear I shall be upon it, as I have been put in all the canvassing lists of the different nations, and was told by a number of bishops that they had voted me one of the twenty-four. This means anxious work should a division arise in the General Congregation on any point that comes under this important head. We don't expect another Congregation before Christmas, and we shall require two more for elections, before we come to discussions. 750 votes were given in the previous Congregation, which shows the present number of the Council having deciding voices. A cardinal, Pantini, has died, a bishop also from Galicia, and another from Panama is dying. All hopes are given up of the life of Cardinal Reisach, one of the five Presidents. He worked himself out in the preparations.

A new list of the Council has been published, showing about 800 votes, including cardinals, and sixteen generals of divers nationality, present. The aula has been changed. The altar put by the Pope's throne, the eight rows on each side made into nine, and the far end seats turned round, and put across to be nearer. But it still won't do for discussions. Amongst the changes I am two nearer the Pope, on the same bench, first below the two rows of archbishops, third from top, on right hand of Pope, the side of the uneven numbers, the even numbers being on the opposite, and the first of the four blocks into which each side is divided by stairs. You can scarcely imagine what a large mass the bishops look, ranged . . . [page lost].

Dec. 23. It is now proposed to hold our Congregations for discussion in a great hall of the Quirinal, reserving the aula in St. Peter's for Sessions. I had appointed to-day to go with an American bishop to see it and give our opinion as to its fitness, but special business connected with the Council prevented me. At all events the cry of the bishops for a better auditory has made itself heard.

I had a long talk with two American archbishops deputed by their body, this morning, about a scheme for all the English-speaking bishops preparing what they have to propose to the Council for their special requirements, and have been moving in other directions for the same end. Our plan, likely to be realized, is this. The bishops of Ireland, England, Scotland, America, Australia, India, etc., will each meet separately and draw up their proposals, then two delegates of each country will meet together and settle what we shall bring together jointly. It is only by contrivances of this kind that in so large a multitude things can be brought to bear in action.

The special correspondents of the great newspapers naturally chafed before the thick veil of secrecy that concealed all that was going on in the Council. They were for the most part altogether hostile, and their reports sought to damage the Council in every possible way. Prominent among them was the special correspondent sent out by *The Times*, Rev. Thomas Mozley, who sent home much strange news. In excuse for him must be allowed his own statement that 'he was known to have no acquaintance with the Italian language and people', and was compelled to rely on the English gossip he could pick up.[21]

On December 23 Ullathorne writes:

The *Times* correspondent has entertained the world with the most astounding decisions, dissensions, and confusion in the Council. President stopped bishops by his bell, 130 bishops walked out of the Council in disgust, and all sorts of protests have been made against oppression of our liberty of speech and action: the fact being that not a bishop has yet opened his mouth, except in prayer and singing and uttering certain formularies. *The Times* has much to say about a certain bull that has angered the bishops until the Pope durst not publish it in the Session: the fact being that this so-called bull is the method of proceeding distri-

[21] *Letters from Rome*, I, 7.

buted at the Presynodal Assembly in the Sistine, containing the ordinary rules of a General Council. The correspondent has even got a glimpse of it, and quoted from it, as an astute obtaining of secret information,—the document being posted all the while on the walls of the city. He tells a conversation between the Pope and Cardinal Bonnechose, how the cardinal told a piece of his mind to the Pope, and the words are given : that cardinal being the actual leader of what may be called the Roman and papal party amongst the French. The lies with which people have deluded the poor correspondent are so huge, so ludicrous, so utterly antagonistic to the facts, that we read them at our table as they arrive from London with roars of laughter. He says the bishops were kept two and a half hours at devotions, Mass, etc., before beginning discussions, thus wearing us down first : the fact being that we have simply the Low Mass of the Holy Ghost, then give in our votes, prepared beforehand, and that is hitherto all we have done, except to receive printed documents to take home with us. Discussion begins next Tuesday for the first time. He even tells who spoke Latin, who French, and who got into a passion. Well ! I suppose England will believe all this, and it will become part of the Protestant tradition. Let us turn to something less revolting to truth and common sense. But almost all English papers are going in the same vein. Even the *Tablet* has made some very egregious statements, having no truth in them. Well did I advise the Faithful in the pastoral to trust nothing but authentic documents.

A few days later Bishop Amherst wrote in the same sense :

You must not believe one word that the Protestant papers say about dissensions amongst the bishops, etc., etc. *The Times* says that the General Congregation last week broke up in great agitation ; the fact being that we walked out as quietly as if we were going from the dining- to the drawing-room at Fieldgate, and with just as much dissension as usually occurs under that roof. And so it has been

throughout. Even the *Tablet* is misinformed and tells stories, particularly about the poor Bishop of Orleans, which have not the slightest foundation.

On Christmas Eve Ullathorne wrote:

The list turned up in the scrutiny for the special deputation on Discipline and Diplomacy has just come in. The Archbishop of New York (McCloskey) is first, your humble servant second, and Archbishop MacHale third on the list of twenty-four, showing that these have as they stand in their order got the most votes; of the other twenty-one members, the Archbishop of Mexico is the only one I yet know personally. There will be a cardinal appointed by the Pope as president, and difficult matters on discipline, canon law, and diplomatic questions that the General Congregation cannot easily decide upon, will go to this deputation. The deputation for things of Faith was previously elected, and on the 28th we meet in the Quirinal to elect the deputation for Regulars, and also to begin discussion and to ascertain if the room chosen will do for the discussions.

It was looked on as remarkable that the three English-speaking bishops should head the poll. McCloskey and MacHale were Inopportunists.

Bishop Amherst gives a description of the Christmas functions.

To resume Dr. Ullathorne's letters:

St. Stephen's, Dec. 26. Whatever The *Times* correspondent may say, there has not yet been a word of dispute or even of discussion in the Council, and nothing can be kinder or more courteous than the bearing of the prelates towards each other. Of course there was sharp work out of doors about electing the special deputation *de Fide*, one side having been long organized and very active, whilst the

other was scattered. And this was mainly owing to the great probability of *one* question being brought in by the organized party. We met, like most of the nations, and proposed our candidate, and with the Archbishop in the chair voted in Dr. Grant. The Archbishop however was returned, though low in the list, showing he had not a large majority. We simply put forward our best theologian, but we were late in the field, and the Spaniards and Italians stuck to their English candidate. I also find that a good many votes were split between Dr. Grant and myself, or I think Dr. Grant would have been in. He would have been no doubt for the question, but he would have been moderate.

For the deputation of Discipline and Diplomacy, I was put forward, and was voted second on the list, after the Archbishop of New York, and before the Archbishop of Tuam, who comes third on the list of twenty-four. Thus we three English speakers got the three first places, showing that we had most votes. I should have thought Grant much best for this deputation and myself for the third on Regulars, for which we vote next Tuesday. We are then to have also the first discussion in the largest room in the Quirinal, to see if it will answer better for the Congregations than the aula Concilii, reserving it for the Sessions.

To-morrow we English meet to agree on our own *proposita*, and after each English-speaking nation has done the same, we have agreed that two deputies from each are to meet, to see what we can settle to be proposed in common. I have drawn up a few subjects which seem to be considered desirable, and I am talked of as one of the English deputies. Thus you see I am getting my hands full. Moreover, I have let myself be drawn in for one of the Epiphany sermons at Sant' Andrea.

We have still two deputations to elect; to that for Orientals will be attached all questions also relating to missionary countries. But Tuesday will begin the discussions *de Fide*. We have had a great deal of wind, hail, rain, thunder and lightning ever since St. Bibiana, who is

supposed if it rains on her feast (Dec. 2) to carry it on for a month and a week.

There has been a sharp passage of arms between Dr. Manning and the Bishop of Orleans, which I read yesterday in the *Univers*. It is fair however to remember that Dr. Manning gave the challenge, calling on the Bishop publicly to retract, and no doubt Orleans knew that the Bishop of Nîmes, or Poitiers, or Mermillod, *all* or some, were in Dr. Manning's council in the matter. There is a pasquinade that is not bad. Orleans lives in a villa outside the walls, the name of which you will hear directly. 'Why are all these purples in Rome? They are the bishops come to the Council. Has the Pope got them all lodged at the Vatican?. No they are scattered all over Rome. Which of them is the farthest from the Pope? The Bishop of Orleans. He is at Macao.'

He put me on his rival list for Discipline and he called yesterday, or rather sent his card, but I have only seen him at a distance. He works six secretaries here.

Dec. 28. After putting in our votes this morning for the third special deputation, that of Regulars, the first discussion began in the aula conciliaris, and seven prelates spoke. The matter in debate has been long before us in that green book which the correspondent of *The Times* is so anxious to get a look at. Tied by the pontifical secret, I yet may say that clear signs were given that there will be no absence of freedom in discussion. We are to try the Hall of the Switzers in the Quirinal so soon as it is ready, but the Pope and Antonelli think it will be a failure. One prelate spoke from his place this morning, and was heard all over the hall, and applauded at the end, but he had a fine voice. I have one of the best positions in the Council and hear every word, but many bishops could not hear those who spoke from the pulpit. When we change, the shifting of numbers might bring me into a bad position for hearing. Bishops Grant, Turner and Clifford were so placed this morning that they could hear scarcely anything from four of the speakers.

It has been arranged at last for each English-speaking territory to draw up its scheme of *proposita*, and that deputations of two from each should meet at the American College, to see on what we can agree in common, and to exchange our lights generally. In a congress of us English, the Archbishop and myself were deputed on this task. We have pretty well agreed on our own, all of them having originated from myself, except one good point suggested by the Archbishop, and valuable hints from Dr. Grant. The Archbishop put forward Cornthwaite and myself, but Cornthwaite could not trust his memory, and when we met, I proposed the Archbishop and induced him to accept.

You have perhaps seen the short correspondence between the Archbishop and the Bishop of Orleans. The Archbishop tells me he has sent another note to Orleans, still holding that Orleans does not fairly translate him. I told Dr. Manning I had read his pastoral nearly in the same sense, and that others had done so. People certainly imagined that by *apart from* the Episcopate, he meant isolated, and *not* merely acting apart although in union with them. However it is a petty quarrel which has damaged both combatants.

I see by *The Times* of 24th that its correspondent is backing out of some of those many absurdities that have made him the laughing stock of Rome.

Now that the deputation *de Fide* is settled, the Archbishop no longer affects to be ignorant of what goes on in preparing lists of candidates, so to call them for the other deputations. He is altogether more open with us, after the lesson given him, and it is much noticed his being the fifth from the end of the list, whilst I am turned up second on the second list, half of which consists of archbishops. I suppose Bishop Clifford will get on the third. Except on the one point, the second is considered to be the most important.

Many poor Spanish and Italian bishops have to walk, even through heavy rain, to the Council, a sign of their

impoverishment. It must be serious for their health to thus have to sit long hours in damp things.

You may wish to know how we live here (at the English College). We English bishops breakfast at 8, lunch at 1, when the Council is not later, and dine after the Ave Maria (nightfall). If a morning is free, it sometimes is spent in calls, otherwise in study. After lunch Dr. Vaughan [Plymouth] and I drive out, and when it is fair above and clean below, get out somewhere for a walk. After dinner study again. I do not go out to evening conversaziones, but occasionally dine out, as at the Denbighs, Scott Murrays, Monteiths, etc. But I avoid this as much as possible. One meets a great many people after dinner on these occasions. But I expect we shall soon be too busy for this kind of thing, which you know is no diversion for me.

The election of the other two deputations need not delay us, for no work of theirs came before the Council. The English-speaking representatives on the deputations for the affairs of the Religious Orders were Derry of Clonfert, Ryan of Buffalo, Clifford of Clifton; on that for the Oriental rites and the apostolic missions, Grant of Southwark, MacGettigan of Raphoe, Lynch of Toronto, Quinn of Brisbane.

CHAPTER X

# THE FIRST DEBATES

The Council may be said to have really settled into its work with the New Year, December having been taken up with preliminary formalities and setting up the machinery. True, the discussions did begin at the fourth and fifth General Congregations, held December 28 and 30. Henceforward there usually were two or three of these Congregations each week, eighty-six in all being held up to the prorogation in July. They were regularly attended by upwards of six hundred Fathers, and lasted from 9 a.m. to 1 p.m., a Low Mass of the Holy Ghost, being said each time by an archbishop. The actual business procedure, which was, if thorough, somewhat elaborate and even cumbersome, will be seen in the narrative.

At the first Congregation, December 10, had been distributed to the Fathers the schema of a dogmatic constitution on 'Catholic doctrine against the manifold errors flowing from rationalism'. As has been explained, the schema had been prepared by a commission of theologians in session for some months before the Council. It is a lengthy document, covering fifteen of the folio columns of Mansi and twelve of the closely printed 4° columns of the *Collectio Lacensis* volume, and it was accompanied by Annotations running to three times the length of the document itself.[1] There were eighteen chapters: they opened with condemnations of materialism, pantheism, and rationalism; then came chapters on divine revelation, on mysteries of faith, on the nature of faith and motives of credibility, on the supernatural virtue of faith and its firm assent, on the relation between human science and divine faith, and on the unchangeable truth of that sense of dogmas which the Church has held and holds. These were chapters

[1] Mansi, 11 (50), 59-74; 74-119: *Lac* 507-18; 518-53.

I to XI; chapters XII to XVIII had to do with particular doctrines: the Unity of God, the Holy Trinity, Creation, the Incarnation and Redemption; then the origin of the human race from Adam, the original state of justice, original sin and eternal punishment, the supernatural order of grace. It will be seen that the entire schema was a piece of highly technical dogmatic theology; and it may be surmised that the average elderly bishop, whose recollection of theological niceties had grown dim in the work of the pastorate, must have perused this very stiff bit of theology for the subject matter of debate with feelings akin to consternation. It was four months before the first half of the schema was enacted as the Dogmatic Consitution *de Fide Catholica* at the Third Public Session, Low Sunday, April 24. It may safely be averred that perhaps never in the history of the world has any legislative act been subjected to a discussion more free, or a sifting more thorough, or a criticism more searching, or a weighing of objections more painstaking, or a transformation more complete, than found place in this Vatican dogmatic Constitution on the Catholic Faith.

The bishops had the schema in their hands for eighteen days before the discussions began on December 28, and so had had ample time to study and digest it. The public debate on 'the schema as a whole' was inaugurated by Cardinal Rauscher, Archbishop of Vienna, to whom thus fell the honour of the first speech of the Council. The contents of the various schemata, and the subjects discussed, and what was said by the speakers, was all under strict pontifical secrecy, though the names of those who spoke were published day by day. But all has now been made public, so that Mansi prints in full from the stenographic reports. Granderath's *History* gives summaries of the principal speeches.[2]

The burden of Rauscher's speech was that the schema was too long and vague and academic, and did not really come to grips with the prevailing errors of the day; the articles on pantheism, rationalism, and materialism were inadequate; it is not now, as it was for Trent, a question of heresies, but of

[2] This first debate is in Mansi, 11 (50), 122-276.

ne very foundations of belief and religion : what is needed is decree of a General Council condemning current errors, not résumé of dogma for the use of professors of theology.

The second to speak was Archbishop Kenrick of St. Louis, J.S.A., very briefly, but on the same lines : The schema eparts from the traditional method of General Councils, hich is to assert Catholic truth against errors, but not to nter on their refutation ; Catholic doctrines should be simply nd shortly stated, and the errors opposed to them anathema-zed, but without any argumentation or bringing forward of easons ; the schema invites the Council to go over the whole eries of revealed truths. It should be remitted to the eputation *de Fide*.

There followed four Italians, three of them critical, only ne approving of the schema. The debate that first day was oncluded by Archbishop Connolly of Halifax. His was a ost trenchant attack on the whole substance and manner of ne schema : unlike all previous Councils, and notably Trent, discourses 'de omni scibili in re dogmatica', and raises eological speculations into articles of faith ; questions cognized as open in the theological schools are decided in particular sense ; the theologians of Trent will rise from their raves and say, 'Look how we did the thing !' The schema ould not be patched up or emended, but decently buried um honore sepeliendum) : it should be wholly recast by the eputation *de Fide*.

It was after this first day's debate that Ullathorne wrote : Tied by the pontifical secret, I yet may say that clear signs ere given that there will be no absence of freedom in dis-ussion.' The seven speeches fill twelve folio columns of Mansi.

The general debate on 'the schema as a whole' ran its ourse through six Congregations, till January 10, thirty-five thers speaking, and their speeches taking up 130 columns Mansi, an average of nearly four columns each. It is no onder that one bishop mounting the ambo after some ngthy speeches, and saying he would not be more than a uarter of an hour, was greeted with cries of 'Bene !

Optime ! ' The speakers came from all parts of the world, and the speeches were in great part concerned with points of high theology and philosophy : some showed themselves jealous in safeguarding the tenets of particular theological schools ; one, an Augustinian, discoursed at length on ' a state of pure nature ' and on ' original justice '. Only concerning two or three of those going to take leading parts in the proceedings of the Council will it be necessary to make any comment.

Strossmayer, Bishop of Bosnia and Vicar Apostolic of Servia, both at that date still parts of the Turkish Empire, has already been introduced. His first speech, on the second day of the debate, called forth the first intervention of the Presidents. On this occasion he voiced the feelings of many of the bishops by taking objection to the title of the Constitution : ' Pius episcopus, servus servorum Dei, sacro approbante Concilio ', and urging that, as at Trent, all decrees should be promulgated not as the Pope's, but as the Council's, ' Sacrosancta Œcumenica Synodus '. After he had spoken on this point for four columns, the President's bell sounded, and Cardinal Capalti, who on such occasions usually acted as spokesman for the five Presidents, called him to order, as wandering from the subject proposed for discussion : the introductory clause could not be changed, but was the traditional formula always used at General Councils when the Pope presided in person, the Tridentine formula being used only if the Pope was not present personally, but by delegates. The Fathers were invited to express their mind with full freedom on the contents of the Constitution, but they must not wander from it : ' Now the Right Reverend Father may go on with his speech.' There was nothing of the nature of a scene ; it was a perfectly proper calling to order, and it was the one intervention of the Presidents during this six days' debate. Strossmayer who had been sitting in the ambo while Capalti was speaking, went on for another four columns, criticizing most severely the schema, as dealing rather with questions of the schools than with the errors current in the wide world ; he also strongly protested against the needlessly offensive

nguage employed, which was not of a kind likely to impress
conciliate those outside of the Church : the schema should
e sent out to the deputation *de Fide* to be wholly recast.

At the next Congregation Verot, Bishop of Savannah,
eorgia, U.S.A., as coming from one of the old slave States,
here just after the Civil War the negro problem was acute,
id that instead of condemning obscure errors of German
ealists, it would be more to the purpose to condemn the
eory that negroes have not souls; and he proposed a canon
athematizing any who dare to assert that blacks are not of
e human family.

Among the most remarkable members of the Minority,
d indeed of the Council, was Meignan, Bishop of Chalons,
ter Archbishop of Tours and Cardinal. He was a distin-
ished Scripture scholar, a competent orientalist, a sound
eologian and effective apologist, who had made his studies
Munich, Berlin, and Rome. He fixed on the biblical
estion as enunciated in the schema : while agreeing that
ery Catholic would take the Bible in its entirety as the
ord of God ' simpliciter ', he questioned the prudence and
e correctness of declaring it to be, in all its parts, the Word
God ' vere et proprie ', and argued at length against such
definition. As a fact, the expression does not find place in
e actual Constitution.

The debate on ' the schema in general ' ended on January 10
uring it Ullathorne wrote the following letters :

Jan. 1, 1870. I believe we shall succeed in keeping to the aula conciliaris for our discussion, without trying the Quirinal. At the last Congregation, one-third of the length of the aula was separated off, an awning stretched over about a quarter of the length, where the speaking pulpit is, and during the four hours' discussion most of the Assembly, nearly all, indeed, heard very well. With a little more alteration I hope, that is now making, we will hear well. Hitherto there has been no difficulty on account of diversity of pronouncing Latin, though we have had English, French and Spanish as well as Italian speakers, some of them very

able and eloquent, most of them speaking with real episcopal freedom. Our next Congregation is on Monday. We begin at 9 a.m. with Mass of the Holy Ghost; the last was in the Armenian rite, a prelate being selected from a different nation for each day; and then the discussion goes on until about one, when we disperse.

The special deputations are not yet set to work, but one will most likely have plenty of work soon. The fourth is not yet elected, as we are waiting for the publication of the result of the scrutiny of the third. Meanwhile the English-speaking nations, like most of the others, are having their meetings, first by themselves, then together by deputies, the Archbishop and myself being the deputation for England. We had our first meeting yesterday for two hours at the American College and resume on Tuesday morning next. Some nations, or parts of nations, have already printed what they want to bring in, by way of propositions, into the Council. These will first undergo the judgement of the Congregation *de postulatis* appointed by the Pope, and be referred to his Holiness, before leave is got to introduce them into the Council. Some such provision is needful to prevent the time and patience of the Fathers being consumed by all sorts of things, fit or unfit, being introduced.

The reference to the diversities in pronunciation of Latin is of interest, as it has been asserted (e.g. by Salmon[3]) that the bishops could hardly understand one another's Latin. I have come across only one indication of such difficulty. While Pie was making a great speech some Italian bishops called out that they could not understand. He repeated a sentence slowly in his best Italian style, and then said 'Gallus sum, et Gallice loquor!'

Ullathorne's letter to Newman of January 20 (below, p. 179) repeats the same quite explicitly.

Jan. 2. We have had some very good Latin discourses in our Council; one, a Hungarian, took the admiration of

[3] In the account of the Council in his book *Infallibility*.

the Council by his grace and eloquence, and the fluent ease and pliancy with which he used the Latin language, which to the Hungarians is as their native tongue. Another, a blind Italian prelate, first apologizing for not ascending the tribune, owing to his infirmity, spoke from the floor with a splendid voice that filled the hall, a distinctness and closeness to the point, which was followed by Latin exclamations of applause from all the benches. A French bishop too, one of my old friends [Ginoulhiac], made a very clever and forcible speech, with much learning and aptitude. Sometimes we get a long prose read from a paper, perhaps, without a point in it, pure muff, its providential use being to tame the prelates, practise their patience, and prove the liberty of the Council. Such a one we had from a venerable old Spanish friend of mine. There is no want of sifting or plain speaking.

I have not inscribed my name to speak on the contents of the green book we are now handling, for it is being handled enough, and it is pretty sure to be sent to its proper deputation for revision, although a most splendid piece of theology. It is not the first time that I have seen the work of the ablest theologians, when the episcopate bring their deeper instinct and keener experience upon it, go to pieces like chaff and consigned to reconstruction. It was so with the Constitution on the Immaculate Conception.[4] It does not however follow that the preliminary work is not of great value, or that it is not thoroughly orthodox.

It has been arranged that infirm or weak-voiced bishops, who could not be heard in the Council, should put their sentiments on paper and lay them on the President's table. Two of our bishops have availed themselves already of this privilege. I see I am running on the verge of confidences, but am still, I trust, within the prescribed limits. Our oath ties us as to the subjects debated, and to say nothing as to

[4] On that occasion he said: 'I am delighted to see the bishops capsizing the theologians; the bishops are all authority, and the theologians all reason' (*Letters of Archbishop Ullathorne*, p. 59).

who speaks on this side or that; but the names of the speakers themselves are put in the official Roman Journal.

Dr. Amherst also wrote:

Jan. 3. We are at last getting into full work at the Council; but the debates go on slowly, owing to the number of people who want to speak and great length of the speeches. However, the Italians, who are not accustomed to hard work, are at length seeing the necessity of it. We were in Council from 9 a.m. till 1.30 p.m. to-day, and only had four speeches!

Again:

Jan. 4. We have got home from a meeting of the Council where we were almost stunned by a Swiss bishop, who spoke for an hour, and roared as if he were talking from one mountain to another against wind and thunder!

This was Greith of St. Gall, the only Swiss of the Minority.

The course of the debate was interrupted on January 6 by the Second Public Session. Let Ullathorne describe it:

Jan. 6. This is the Epiphany and the second Public Session of the Council. The general character of the function was the same as the first. The High Mass sung by the Cardinal Vicar, the Pope presiding. After Mass the 'Veni Creator', Litanies, well and unitedly responded to by the whole episcopate. The Gospel of the Council sung, the Book of the Gospels enthroned on the Altar, and then the profession of Faith, which lasted two hours. The Pope first read the Creed of Pius IV, then a bishop ascended the ambo and read the same Creed aloud, then the prelates beginning with the cardinals and patriarchs went up one by one to the Pope, and laying a hand on the Gospel each after the other said: 'Ego N.N. Episcopus N. spondeo, voveo, atque juro juxta formam praelectam, sic me Deus adjuvet, et haec Sancta Dei Evangelia', then kissing the

Book. The archbishops and bishops went up two and two, the abbots and generals four and four, secretaries taking down each name as it was uttered. Just imagine the line of prelates going on unbroken for two hours, those in their seats carrying on a quiet conversation all the while. Nor is this conversation out of place, as it chiefly regards the Council, and communicates information. For instance, I got some very valuable information during the time, which fixed me on a line of policy I had been reflecting on for six months at least before, on perhaps the most important point that may come before the Council. The profession of Faith over, came the ' Te Deum ', alternated between the choir and the bishops. Then the Pope's blessing and an indulgence of thirty years. As no decrees were far enough advanced for the final voting none were brought forward.

It was given out by those hostile to the Council—Friedrich, Quirinus ', Mozley—that the solemn profession of Faith was in afterthought, to save the face of the authorities by covering up the fact that there were no decrees ready for promulgation at the Session. Likely enough it had been supposed that there would be decrees ready ; but the public profession of Faith was one of the functions of the Council, and had been fixed for the Second Public Session of January 6 before the Council had assembled.

Jan. 6. He went on :

We meet again in General Congregation on Saturday, when we may hope, as only six speakers are inscribed, that we shall have finished the first stage of discussion of the first dogmatic constitution. What it is all about and what has been said about it, is our one secret, at present, everything else is made public.

The English bishop elected on the deputation concerning Regulars, you will know by this time is Bishop Clifford. I do not see much of him, or of Bishop Amherst, as they live in the neighbourhood of the Piazza di Spagna. Another bishop has died, the Bishop of Panama, making three

bishops and two cardinals. The Bishop of Meaux fainted in his place this morning, he however contrived to make his profession of Faith half an hour afterwards. There are some very old bishops in the Council, who have to be helped down the steps and up them. One old gentleman moves by inches on his stick, but some bishop is sure to step forward and help him on. What a little world of its own a Council is, yet it is a world full of courtesy and kindness, evinced perhaps the most strikingly between those who are the most strongly opposed in ecclesiastical policy.

I hear the Pope talks of allowing the bishops in the summer to go into the country for air and rest, but not of returning to their sees. I suppose he apprehends it would be difficult to get them back again. Everything looks like a long sojourn here.

Jan. 8. Just returned from the Council. Discussion as usual from 9, including the Mass, up to a quarter to one. We had hoped this morning would have completed the first stage of discussion on the first constitution, and have handed it over to the special deputation on Faith; but more speakers had inscribed their names, and so we begin again on Monday, which will surely bring us to the first stage.

Today two more constitutions were put into our hands, which belong to discipline. These will then be the next points for discussion. It is far more amusing than *Punch* to read the Roman correspondent of *The Times*. He is sure to get hold of the direct opposite of the truth in almost everything he states, and even the *Vatican* commits the greatest blunders.[5] There was however one article in the *Tablet*, a letter from Dr. Grant on the modes of procedure, which was quite correct and very able. It did not appear under his name, but was written in reply to *The Times*.

Sundry *proposita*, that is to say schemes of questions to be proposed to the Council, have been drawn up by different groups of bishops, and these are seeking for support. I read one this morning, while a drowsy speech was going

[5] The *Vatican* was a Council supplement to the *Tablet*.

on, 40 pages octavo ; and I am indeed myself on a deputation, as you know, for drawing up certain others.

The aula conciliaris has now taken its final shape ; there Congregations are held, the bishops being brought into half the length which they occupy at a Session. The steps of the apse are covered with seats, and all the space in front of the cardinals, and the sixteen rows of bishops are made twenty, so as to be within hearing distance, and an awning is stretched over half the space. I shall keep my old place, and our Archbishop is just opposite me in the second row from the top.

The Council costs the Pope £200 a day of itself. His income is, and long has been, but 30 million frs. a year, while his expenditure is 60 millions. The Peter's pence goes but a small way to meet his expenses.

Jan. 10. We had a Congregation to-day up to 1½ p.m., and finished the discussion on the first scheme on Doctrine, and it is sent to the special deputation.

You must remember this, that everything is discussed first in the General Congregation, and only when grave difficulties arise is it afterwards sent to a special deputation ; and when they have reformed the constitution, then it returns to be reconsidered in the General Congregation, so that everyone has the opportunity of expressing their sentiments, and that at any length.

Dr. Amherst : Jan. 13. The Bodenhams have a reception for bishops every Wednesday evening, and have fitted up an Oriental divan for the Easterns, where they sit cross-legged and smoke and drink coffee. The hour for the reception is 8.30 ; but the Orientals seem to like it so much that, yesterday, they arrived at six, before their hosts had dined !

About what goes on in Council we are not allowed to speak. I envy the Hungarian bishops their facility in speaking Latin, which they are so accustomed to that they talk as easily as if they were chattering the language of the

country. Two of them, Strossmayer and Haynald, together with the Archbishop of Malines, formerly Père Dechamps, C.SS.R., have made the most eloquent speeches I have ever heard.

The Council-hall has been re-arranged, and we hope it will do and so save the expense, trouble, and disappointment of removing to the Quirinal. The Pope continues wonderfully well.

I am sorry to see a lecture in the *Tablet* by Father Christie, in which he speaks of the Bishop of Orleans as being in an 'intrigue' against the definition of infallibility. I wish they would let the poor man alone. There is no such thing as an intrigue. He merely has expressed in the most open way his own opinions; and no one has been received with greater kindness by the Holy Father.

This last remark was true; on December 14 Dupanloup wrote in his diary: 'Hier, audience du Pape. Très bienveillant, comme toujours.'[6]

The general sense of the assembly was against the schema as it stood; it was too long and elaborate, too abstract and obscure, and it did not meet the needs of the time. And so it was sent out to the deputation *de Fide* to be remade; 'mangled and pulled to pieces', and 'bleeding in every limb', as Ullathorne put it. The fate of the schema came as a surprise to the theologians and the Curia and the Presidents and the Pope himself; it had been taken for granted that the prepared schemata would go through easily and quickly with little amendment; it was not anticipated that the bishops were going to take things so seriously. It should be made clear that, though the most outspoken, the Minority bishops were by no means the only critics of the schema. Mourret, relying on M. Icard's Diary, says it was received with almost general disapprobation. Though the work of two German Jesuit theologians, Franzelin and Schrader, it was disavowed at a meeting of the Jesuit bishops and theologians taking part in the Council, convened by the General. The famous Jesuit

[6] Mourret, *Concile du Vatican*, p. 139.

moral theologian, Padre Ballerini, characterized it to Icard as 'Moles indigesta, opus de novo conficiendum'—'an undigested mass, a work to be remade'. The strongly Ultramontane theologian, abbé Gay, also expressed to Icard his dissatisfaction: 'it is concerned too much with errors hardly known outside the schools, too little with those that trouble men's minds and are a peril to society'.[7]

Two months elapsed during which the deputation worked at the remodelling of the schema, before, on March 18, the revised constitution was brought before a General Congregation for renewed discussion. During this period the Council gave itself up to matters of ecclesiastical discipline and the reform of the canon law, as will be narrated in Chapter XII.

The deputation lost no time in getting to work; indeed, already on January 7, the trend of general criticism being apparent, a preliminary session was held. The Pope had made Cardinal Bilio, one of the Presidents of the Council, Chairman of the deputation *de Fide*, and henceforward he exercised a preponderating influence in the preparation of the dogmatic material for the Council.

At the session of January 7 Bilio put to the deputation the two questions: Should the schema be put aside and an entirely new one framed; or should it be retained in substance? And, if so: Should its form be changed?[8] The deputation resolved with unanimity that it should be retained in substance, but emended: it should be shortened, and made more clear; its tones hould be tranquil, as befits the decree of a General Council; the language of the schools should be eschewed, and all harshness of expression eliminated; also anything restricting the allowed liberty of the theological schools should be avoided.

At the second session, January 11, the theologians assisting the deputation were instructed to make a full analytic synopsis of all that had been said in criticism of the schema;[9] and the

[7] Mourret, op. cit., p. 191: on this work, and M. Icard and his Diary, see below, Chap. XIV.

[8] The full Acta of the Deputatio de Fide are given in Mansi, v (53), 157-332; somewhat abridged, *Lac* 1646-95.

[9] Mansi, II (50), 277-310.

great Jesuit Austrian theologian Franzelin, whose handiwork the schema principally was, was invited to defend it before the deputation. This he did in a spoken theological disquisition taking up twenty-two columns of Mansi, some 12,000 words.[10] He did not, however, satisfy the deputation, and it was determined that the schema must be drastically remodelled. The work was entrusted to a sub-committee of three, Archbishop Dechamps of Malines, and Bishops Pie of Poitiers and Martin of Paderborn ; and they in turn entrusted it to the last-named, Conrad Martin, of Paderborn, one of the foremost bishops of Germany, a learned theologian, a sympathetic controversialist, and a strong apostolic bishop.[11] He took two theologians to help him, Fr. Kleutgen, a German Jesuit, and, as appears from the second volume of his *Correspondence*, the abbé Charles Gay of Poitiers, one of the theologians called to Rome by the Pope, and during the Council theologian to Bishop Pie, to whom later he became assistant bishop on his elevation to the purple. Gay's notes in letters on the work of revision are very interesting : he speaks of his emotion in recognizing much of his own wording in the dogmatic definition of the Council. It was not for six weeks that Martin, on March 1, was able to lay before the deputation the result of his labours. Leaving him at work on his task we may return to the public affairs of the Council.

[10] Mansi, 11 (50), 317-40 ; *Lac* 1611-27
[11] See *Catholic Encyclopædia.*

CHAPTER XI

# INFALLIBILITY MOVEMENTS: OUTSIDE THE COUNCIL

While the debates on the schema of Catholic Faith were going on inside the Council-hall, the movements and counter-movements around the Infallibility went on outside. It should be understood that the commission of theologians for preparing beforehand draft schemata to be laid before the Council as a basis of discussion, had drawn up a comprehensive schema *de Ecclesia*, holy Mother Church having never yet formally defined herself. In regard to the Pope's infallibility the query had been submitted to the theologians whether the doctrine was theologically definable, and whether it was advisable to include it in the schema. They answered that the doctrine was definable; but that in their judgement the subject ought not to be proposed to the Council by the Apostolic See, unless at the petition of the bishops.[1] This advice of the theologians was unanimous. Thus the schema as originally proposed contained a chapter on the primacy, but nothing on the infallibility. An additional chapter on the infallibility was, however, drafted, in readiness to be added if called for.[2] Thus there was no mention of the infallibility in the official documents concerning the Council, and the Pope at the beginning said its introduction would be left to the bishops. But in view of heated controversies in most countries during the previous decade, and of the excitement of men's minds on the subject, it was perfectly certain that a large number of bishops would want to bring about a formal definition. The matter had, in truth, been in agitation ever since the proclamation of the Council in 1867. Manning tells

[1] Mansi, I (49), 668; *Lac* 1106.
[2] Mansi, III (51), 701; *Lac* 641; (below, Chap. XXI).

how on that occasion he and Senestréy, Bishop of Ratisbon (Regensburg) in Bavaria, took a vow to promote the definition:

> On the eve of St. Peter's Day [June 28, 1867] I and the Bishop of Ratisbon were assisting at the throne of the Pope at the first vespers of St. Peter; we then made the vow drawn up by P. Liberatore, an Italian Jesuit, to do all in our power to obtain the definition of papal infallibility. We undertook to recite every day certain prayers in Latin contained in a little book still in my possession. The formula of the vow with my signature is bound up in my copy of *Petri Privilegium*.[3]

These two, Manning and Senestréy, were true to their vow. From start to finish they stood shoulder to shoulder, straining every nerve to bring about the definition, and in the strongest terms that could be got through the Council, terms it will be seen stronger far than those actually passed.

We have seen in Ullathorne's letters that the infallibility was in the air from the start, and immediately on arrival in Rome the extremists on each side formed international committees to work for or against the definition. Manning in the reminiscences of 1887 tells the story:

> The public history of the Council I have given in the 'True Story'. The private history is known to few. Ratisbon, Carcassonne, Malines, Paderborn and I [Senestréy, Roullet de la Bouillerie, Dechamps, Martin, Manning] began meeting in order to watch and to counteract the French and the German bishops who were united in an international committee. We met at my rooms, and Ratisbon's and Paderborn's rooms, and finally at the Villa Caserta. One day the Opposition came and half filled the room. We had to adjourn. The international committee met often, and we met weekly to watch and counteract.

[3] Purcell, *Life of Manning*, II, 420.

When they went to Pius IX we went also. It was a running fight.[4]

After the first victory in the election of the deputation *de Fide* the infallibilist committee pressed onward in their campaign and set to work to organize a monster petition from the bishops that the infallibility question be brought forward at the Council. Senestréy's Diary tells the story.[5] On December 23 the inner circle met at the Villa Caserta: Manning, Dechamps, Senestréy, Martin, half a dozen more. It was agreed that a letter be prepared, to be circulated among the bishops, asking for signatures to a petition that the doctrine be defined at the Council. On 28th they met again and accepted the form of letter that had been prepared; it was signed by sixteen bishops and was printed and issued on 30th, not to all the bishops, but to selected ones, who were asked to obtain as many signatures as they could, but to keep the thing secret. A few days later the letter was issued again, with over fifty signatures, and now was circulated generally without note of secrecy. As a fact, it got out at once into the newspaper; Ullathorne says some English bishops first saw it in the papers. The actual proposition to be signed was couched in these terms:

> The undersigned Fathers humbly and earnestly beg the holy œcumenical Council to decree clearly and in words that cannot be mistaken, that the authority of the Roman Pontiff is supreme, and therefore immune from error, when, in matters of faith and morals, he lays down and enjoins (statuit et praecipit) what is to be believed and held, and what is to be rejected and condemned, by all the Faithful.

There was added to the letter a statement of the reasons why the proposition was opportune and necessary, and an appendix giving pronouncements of various recent provincial Synods—Cologne, Utrecht, Prague, Kalocsa (Hungary),

[4] Purcell, *Life of Manning*, II, 453.
[5] Mansi, V (53), 276; *Lac* 1696.

Baltimore, Westminster, all since 1850—asserting the papal infallibility.[6]

The signing of the petition went on throughout January. 'I remember', says Manning, 'our anxiety while the signatures were coming in, hindered and delayed by intrigue and misrepresentation.'[7] Some bishops, as those of Southern Italy, preferred forms of their own. Finally, by the end of January about 380 signatures were attached to the main petition, and about 100 to the others. At the same time counter-petitions, that the subject be not introduced, were going round and secured about 140 signatures.[8] At the end of January all the petitions were put in at the Congregation *de postulatis*.

The lists of signatures to these petitions make it possible to see how the bishops of the different countries ranged themselves. The case of France stands apart: for the rest, it may be said, in general, that the definition was favoured in Catholic countries in which there was no other strongly organized religion; while the oppositions and hesitations came from those countries in which Catholicism stood face to face with predominant Protestantism, or, as in Eastern Europe, Hungary and the Slavonic provinces of Austria, with the various Eastern Orthodox Churches: in these countries the bishops feared definitions that might, by creating fresh obstacles, retard the progress of the Church, by making reunion and conversion more difficult.

In detail, the Spanish bishops, both of Spain and of Spanish America, and those of South Italy (Papal States and Kingdom of Naples) supported the definition almost unanimously; and the Belgian and Polish bishops (all but Lemberg), and the Swiss (all but St. Gall), quite unanimously. The French petition against the definition bore thirty-six signatures: among them the Archbishops of Paris, Rheims, Avignon,

[6] Mansi, 111 (51), 644; *Lac* 931, 1703; the document is given in full in English in Manning's *True Story of the Vatican Council*, 113-21.

[7] Purcell, *Manning*, II, 453.

[8] All these petitions and lists of signatures are given in Mansi, loc. cit., 650-86, and *Lac* 923-50.

Albi, Sens, and among the bishops Dupanloup, Meignan of Chalons (afterwards Archbishop of Tours and Cardinal), Dupont des Loges of Metz, Ginoulhiac of Grenoble (promoted during the Council to the Archbishopric of Lyons, the primatial see of France). The leader of this group of the French episcopate was Cardinal Mathieu, Archbishop of Besançon. The leader of the moderate Ultramontanes among the French bishops was Cardinal Bonnechose, Archbishop of Rouen ; with him were the Archbishops of Tours, Toulouse, Cambrai, Rennes, and Lavigerie, the Archbishop of Algiers, later Cardinal. On the extreme Ultramontane wing were Pie of Poitiers, Plantier of Nîmes, and Wicart of Laval. The bishops of the French portion of Canada for the most part favoured the definition. To the French petition against the definition were joined four Orientals, and a separate Oriental petition in the same sense bore sixteen signatures : the Oriental bishops were about equally divided. The Archbishops of Milan and Turin and five other bishops of North Italy sent in their own petition against the definition.

But it was from Germany and Austria that the opposition was the weightiest : the archbishops of all the great sees of Germany and the Austrian Empire, including Hungary and the Slav peoples, the Cardinal Archbishops of Vienna and Prague, the Archbishops of Salzburg (Primate of Germany), of Esztergom (Primate of Hungary), of Kalocsa (Hungary), and with them all the Hungarian bishops ; of Cologne, of Munich, of Olmütz, of Bamberg, and most of the bishops, the most distinguished being Ketteler of Mayence, Hefele of Rottenburg, and Strossmayer of Bosnia : in all a formidable list of close on fifty names. The Ultramontanes were hardly a dozen, but among them were Fessler, the Secretary of the Council, Senestréy of Ratisbon (Regensburg), Martin of Paderborn, Gasser of Brixen, the last three among the foremost champions of the infallibility ; and some Bavarian and Tyrolese bishops.

The case of the English-speaking bishops is for us of special interest. Of the thirteen English bishops all but two were at the Council, the absentees being Brown of Newport,

the senior bishop, who stayed in England, and Goss of Liverpool, who started for Rome, but was held invalided at Cannes; and there was Archbishop Errington, Wiseman's retired coadjutor. Besides Manning, only two signed the petition for the infallibility to be brought on, Cornthwaite of Beverley, an extremist of the Manning type, and Grant of Southwark, a moderate old-fashioned Ultramontane. Clifford of Clifton was the only diocesan bishop to throw in his lot heartily with the Minority; but with him was Errington. The other seven, no doubt following Ullathorne's example, stood aloof from all extra-conciliar movements; but some of them, as Vaughan of Plymouth, Amherst of Northampton, Turner of Salford, certainly inclined to the inopportunist position. A letter from Goss to Newman shows that he was a Gallican. The Benedictine Hankinson, Bishop of Port Louis, Mauritius, was a supporter of the definition.

Of the Irish bishops all but four were on the Ultramontane side, Cardinal Cullen of Dublin and Archbishop Leahy of Cashel being prominent supporters of the definition; the dissentients were the famous John MacHale, Archbishop of Tuam, Moriarty of Kerry, one of the leading spirits of the Minority, Furlong of Ferns, and Leahy of Dromore, a Dominican. The Australian bishops too, all Irish, were solid for the definition.

The English-speaking North-American bishops were greatly divided. Archbishop Spalding of Baltimore led on the side of the definition; with him were the Archbishops of New Orleans and San Francisco; and five other United States bishops sent in a separate petition for the infallibility to be brought on. But Archbishops McCloskey of New York, Purcell of Cincinnati, Kenrick of St. Louis, also Connolly of Halifax, Canada, and nineteen bishops of the United States signed the English-speaking inopportunist petition, among them the very remarkable Bernard McQuad of Rochester, whose life has recently been published in three volumes.

On the text of the petition for the introduction of the question of the Pope's infallibility becoming public, Döllinger

inted in the Augsburg *Allgemeine Zeitung* of January 21 a ng signed article, characterized by Ollivier as ' virulent ' :[9]

No one from the origin of the Church to our day has believed in the infallibi ity of the Pope, that is, as he believes in the Holy Trinity. At most, some have believed it to be probable, or humanly certain. The innovation in faith and in doctrine would be a unique event, the like of which has not happened in eighteen centuries. It would reduce the testimony of the Church to the testimony of the Pope bearing witness to himself ; but eighteen hundred and forty years ago One greater than the Pope said one day : ' If I bear witness of myself, my witness is not true.' The condition of *ex cathedra* was unknown for centuries. Florence was not œcumenical. The whole thing is a plot of the Jesuits, skilfully engineered during a long period.

And a week later he said that he knew most of the German shops, in particular his own Archbishop of Munich, were agreement with his views.
This brought Ketteler of Mayence into the field, to protest ainst such an assertion, and against Döllinger's agitation ainst the Council and the Holy See and the Church herself :[10]

I agree only with the Döllinger whose lessons formerly used to fill his pupils with enthusiasm and love for the Church and the Holy Apostolic See ; I have nothing in common with the Döllinger whom the enemies of the Church and of the Holy See are to-day loading with praises.

The Archbishops of Cologne and Munich and other shops published similar protests, calling on their flocks to loyal to Church and Council, whatever the outcome might . Manning is certainly right in saying that the Minority shops were compromised and handicapped by the disloyal itation of Döllinger and Friedrich.
It will now be of interest to have Bishop Ullathorne's

[9] *Lac* 1473. [10] *Lac* 1485.

comments on the course of events inside and outside the Council during this phase:

Jan. 8. I have formally declined uniting with any party representing extreme views. Still I believe that even these have their value, and compel reflection on important points that otherwise would escape sufficient attention. Of course I am talking of what passes outside the Council, not inside. There also is going on an agitation, variously viewed by various groups of prelates, on that subject about which all the world is talking. That it will be brought on is certain; that it will lead to long and anxious discussion is equally certain; that the temporal powers are doing their utmost in vain to stop it, is a fact of which you may be assured; that it will not be brought in by the Pope is also a determined fact. But I have seen a printed paper that is being very cautiously circulated in private, the object of which is to get a list of signatures for its introduction.

You would be amused to see how one gets sounded by first this prelate, then that, and how one has to fence for the purpose of keeping one's liberty intact far within the walls of the Council. For it is not so much the interior of the Council as the outside of it that is such a little world, bringing out the ways of many and different natures; all, however, in earnest, all feeling a deep sense of responsibility, but some, one thinks, trying to manage their neighbour perhaps a little too much. Still, the general character of the episcopate is high-mindedness, straightforwardness, and deep conscientiousness.

Jan. 16. I have just been having a conversation with Cardinal Pitra [the Benedictine Cardinal of the French Congregation] on the position of things. He of course reflects the general sentiments of the Powers that be. There is a general satisfaction at the position of things in the Council; a full expectation of a definition of the infallibility, of which not a word has yet been uttered in the Council, but which is so vividly agitated out of doors; and a great, indeed an

intense, desire to have it settled on the part of the higher Powers, thinking it will put an end to many internal controversies. I am quite disposed myself for a moderate declaration, well-balanced, providing something is said to strengthen the bishops in their own dioceses.

On January 20 Ullathorne wrote to Newman:

It has occurred to me that a letter from me would not be unacceptable to you. I therefore write before I get too much involved in the labours of the special deputation of discipline, to which I was, however unworthy, elected.

We have now got through all the preliminaries and formalities, and the Council is fairly at work, and my impression is that it will ultimately do a good work for the Church. But large bodies move slowly, and the Roman Curia is unaccustomed to the craft of managing great assemblies engaged in discussion. They are also naturally timid of innovations, and cling to such traditions, especially those from Trent, as remain recorded. Now Trent at its fullest had but 200 prelates, whereas there are above 760 in the present Council. The difficulty of the aula as an auditorium has been tolerably mastered as far as ordinarily good voices are concerned, and as many of the speakers prefer reading from a paper, they can better manage their voices. I have myself so good a position that I hear everything with ease. Nor is there much, indeed I may say there is no real difficulty arising from difference of pronunciation. At least I find none, and hear but few in any case complaining. A little more usage will remove the last relics of that difficulty from all except those who may suffer from deafness.

There is no stiffness in the demeanour of the assembled Council; and there is a good deal of coming and going in a quiet way without interference with the speaker, who addresses from an ambo from the lower end of the aula. An awning stretched over the ambo end over a third of the space detains the voice from ascending. In Congregation, as opposed to Session, when we have twice the length

of space, the bishops are confronted, twenty lines to twenty opposite lines on tiers; besides which the steps in the tribune and the whole space between the throne, the Presidents' tables, and the steps, are covered with seats filled by bishops. Thus is it one mass of many-coloured mantellettas, and episcopal faces, and a very lively scene ever in gentle waving motion, unless when some able speaker rivets attention. There has not hitherto been any visible hesitation or bungling in the use of the Latin language, even when reading was dispensed with.

We are under pontifical secrecy, provided for in the consecration oath, with respect to the matters brought before the Council, and with respect to what is said in their discussion. But everything else, such as who are voted for, who are the speakers, etc., go into the Roman papers before they reach you in your own journals. Some French journals, such as *La France* and *Le Français* have more, and more accurate, information of what passes than the English papers. The *Tablet* is far from accurate in many of its details.

As to *The Times*, until lately it was ridiculous and absurd in almost every statement. Its correspondent was evidently hoaxed of set purpose by the Roman wits. Both its ordinary correspondent, and even Mozley who was sent expressly, complained that other writers' statements were put in, in preference to theirs. Now, however, up to the last receipts, *The Times* has grown more sober and nearer the truth.

Thus far the Germans have exhibited the greatest solidity and closeness to the business in hand. The Hungarians have delighted by the fluent and pliable ease with which they use the Latin as a vernacular tongue. The French, with two very marked exceptions, have been rhetorical; but these two exceptions exhibited, the one close and solid learning, and the other very great tact and shrewdness in debate. The Northern Americans have been able and businesslike. The Italians have presented opposite qualities; some clever and to the point, others mere

academical preachers. The Spaniards have been least successful, whether for judgement or handling the point in hand. I see a good deal of leading American prelates who all have a great affection and respect for you. Indeed I am at the American College frequently, for deputations from the English-speaking countries meet there periodically for the consideration of our disciplinary requirements.

You will hear a good deal of movements outside of the Council, and, indeed, I wish there was less of them; but they certainly began on what may be called the 'ultra' side, which naturally led to efforts at counter-organization. But everything will find its level, though this may require a little time. Many reputations will be marred and made in this Council, and the true metal, tried in the fire of patience, will come out at last. For my part, I decline all invitations to all reunions of a party character,—to all moves in fact, that can be construed into partisanship outside the Council, and have made my rule known that I will put hand to no petitions or propositions on this side or that. I hear all sides, say my say when I think it prudent, and keep my course for the interior of the Council. The Pope said to most of the nations at their audience: 'You will find the Holy Ghost inside the Council, not outside of it.' Still, I allow that prelates must understand one another, and that each nation must confer on its own requirements, and there must be understandings come to as to joint action. I think, however, you will understand me.

Be assured of this, that Rome itself is learning a great deal about the state of the Church, and of the position of the faithful in their divers countries, and that the very freest speech is used, consistent with that mutual respect which the authorities of the Church owe to each other. One great result of the Council must necessarily be the widening of knowledge and experience on the part of Rome as well as on that of the universal episcopate. For the rest, even the strongest adversaries, in so far as questions of ecclesiastical polity are concerned, are full of kindness and courtesy towards each other, even to great edification.

This letter it was that called from Newman that one which, became public by a misadventure, caused so great a stir throughout the world. An account of the whole episode is given in the *Life of Ullathorne* (II, 58-64) and need not be repeated here; but it seems necessary to include Newman's letter in any History of the Council;—and all the more so in that Ullathorne's reply is full of interesting material:

Jan. 28. My dear Lord: I thank your Lordship very heartily for your most interesting and seasonable letter. Such letters, if they could be circulated, would do much to reassure the many minds which are at present distressed when they look towards Rome. Rome ought to be a name to lighten the heart at all times, and a Council's proper office is, when some great heresy or other evil impends, to inspire the faithful with hope and confidence; but now we have the greatest meeting which ever has been, and that at Rome, infusing into us by the accredited organs of Rome and its partisans (such as the *Civiltà*, the *Armonia*, the *Univers*, and the *Tablet*) little else than fear and dismay.

When we are all at rest, and have no doubts, and—at least practically, not to say doctrinally—hold the Holy Father to be infallible, suddenly there is thunder in the clear sky, and we are told to prepare for something we know not what, to try our faith we know not how. No impending danger is to be averted, but a great difficulty is to be created. Is this the proper work for an œcumenical Council? As to myself personally, please God, I do not expect any trial at all; but I cannot help suffering with the various souls which are suffering, and I look with anxiety at the prospect of having to defend decisions which may not be difficult to my private judgement, but may be most difficult to maintain logically in face of historical facts. What have we done to be treated as the faithful never were treated before? When has definition of doctrine *de Fide* been a luxury of devotion, and not a stern painful necessity? Why should an aggressive insolent faction be allowed to 'make the heart of the just to mourn, whom the Lord

hath not made sorrowful'? Why can't we be let alone, when we have pursued peace, and thought no evil? I assure you, my dear Lord, some of the truest minds are driven one way and another, and do not know where to rest their feet, one day determining to give up all theology as a bad job, and recklessly to believe henceforth almost that the Pope is impeccable; at another tempted to believe all the worst that a book like *Janus* says; others doubting about the capacity possessed by bishops, drawn from all corners of the earth, to judge what is fitting for European society, and then again angry with the Holy See for listening to the flattery of a clique of Jesuits, Redemptorists and converts.

Then, again, think of the store of pontifical scandals in the history of eighteen centuries which have partly been poured out and partly are still to come. What Murphy inflicted upon us in one way, M. Veuillot indirectly is bringing on us in another.

And then again, the blight which is falling upon the multitude of Anglican ritualists, etc., who themselves perhaps, at least their leaders, may never become Catholics, but who are leavening the various English denominations and parties (far beyond their own range) with principles and sentiments tending towards their ultimate absorption in the Catholic Church.

With these thoughts before me, I am continually asking myself whether I ought not to make my feelings public; but all I do is to pray those great early Doctors of the Church, whose intercession would decide the matter—Augustine and the rest—to avert so great a calamity. If it is God's Will that the Pope's infallibility should be defined, then is it His blessed Will to throw back 'the times and the moments' of that triumph which He has destined for His Kingdom; and I shall feel I have but to bow my head to His adorable, inscrutable Providence. You have not touched upon the subject yourself; but I think you will allow me to express to you feelings which for the most part I keep to myself.

Ullathorne replied:

Feb. 4. Your letter received to-day, and written with true tact, and deep feeling of the position created by the zealots, but repeats with force what many here are feeling, as well as yourself. But I think I may venture to say that the zealots are doomed to future confusion. Some are in fact beginning to find it already.

As the question of which you speak has not yet been even breathed within the Council Chamber, I may venture to give you some information as to its actual position outside of it.

Cardinal Bilio [President of the special deputation *de Fide*] informed an American archbishop, who informed me, only two days since, that although a schema *de Summo Pontifice* has been prepared, it had been decided to put it aside, and not to present it, in so far as that important question of the infallibility was concerned. But when Maret and Dupanloup came out so strongly in antagonism, then it was thought desirable to do something. This recent information takes us back to the starting point.

I, of course, do not forget that one of these prelates was roused up by excesses on the other side, nor do I forget who roused him.[11]

When I reached Rome I found a fiery propagandist action in full play on the part of our friend [i.e. Manning] and certain others whose names are well known. This roused up counter-action. And that again stimulated the zealots. Meanwhile Rome watched and kept quiet. After a while Archbishop Manning's proposition and circular began to be criticized.[12] It was never shown to the English bishops, Archbishop Manning declaring to me that he kept away from us through delicacy. Some of us saw it first in the French papers or *The Times*. So soon as I saw it I pronounced that it did not incorporate the doctrine

[11] He refers to Manning's pastoral and the controversy that arose out of it between him and Dupanloup.

[12] The petition for the introduction of the Infallibility, above, p. 173.

of infallibility at all. The 'suprema ideoque irreversibilis auctoritas' was just our own constitutional doctrine: there being no tribunal above him, the King can do no wrong. The Neapolitans saw this, and their copy struck out the 'suprema ideoque', and kept the rest. The Spaniards also and South Americans drew up their own. Thus the boasted signatures were appended to not one but different documents, not one of which, I believe, included the word 'infallible'.

On the opposite side many of the 150 signed Schwarzenberg's document, or some other—there were three on the other side also,—with the sole view of enforcing moderation. It became well-known also that many who, like the Bishop of Poitiers [Pie] and myself, refused to sign any document, were disposed to moderation. The Americans [as Spalding of Baltimore and others] were very anxious to avoid the word 'infallible', and drew up a document in which they rehearsed the former decrees in favour of the Pontificate, and added a censure on the Four Gallican Articles.

The Pope has refused to receive personally any of these presentations, referring them to the Congregation he has appointed to receive 'proponenda' for the Council. He is also reported to have said that he would be contented with a negative definition.

For my part, I have quietly and in private maintained that I should not oppose a calm and moderate definition, *provided* it was duly balanced by strengthening the authority of the episcopate; provided also it was duly limited, so as to save us from enthusiastic and fanatical interpretations. And I have insisted on the importance of reviving the old canon in the Sexto, against laymen leading in theological writing and publishing.[13]

My personal position must necessarily call for my further explanation. One or two of the zealots made free with my name: I was a Gallican, I had signed the Remonstrance, etc. These false accusations roused me. I saw

[13] Such cases as Ward and Veuillot.

two cardinals and had a very plain talk with them, not merely about this, but about the entire position and views of the English bishops. This brought out to me in confidence that our position and relations, both in England and here, were being quite understood. Further it began to appear on all sides that the zealots were getting them here into an awkward position, which would not do. They are beginning to descend, and calmer and more prudential views are taking ascendancy. One cardinal assured me that, though in consequence of court intrigues and anti-papal writings, something must now come in, yet it would be proposed in such very moderate terms that it will not fail to meet the wishes of the moderate of all parties. And the American archbishop, before alluded to, told me but yesterday that he also had been assured by the cardinal who knew most of the matter, that the proposition would be most moderate. My general knowledge enables me to say that this, amongst other things, implies the omission of the word 'infallible', and I apprehend also the limitation to some such terms as the obedience due to Pontifical decisions and their irreversibility.

I speak therefore of what is passing outside the Council. In a short time the question will come before it, and then my tongue will be tied. And of course, though I write this to you, I could not with propriety write so to others. But in your prudence I feel myself safe. Of this you may be quite assured, that the most active and politic agitation of strong measures is going down on all sides, and is beginning to be found inconvenient. The weather-wise, even among the praelati, are beginning to say, 'I don't sail in ——'s track; he overdoes it'.

Be assured, my dear friend, that whatever mischief is doing outside by our own newspapers, to which so many of us are alive, moderation will be the upshot in the Council. If you could but see, as I see, schemata brought in, only to be pulled to pieces and sent out again, bleeding in every limb, to be reconstructed by the special deputation by the light given in the Council, you would realize how the

general sense of the Fathers prevails over all party views and idiosyncrasies.

You may have heard of this or that prelate being called to order. But in the rare instances in which this has occurred, there have been real excesses, and that beyond the point in hand, and the whole sense of the Council has gone with the Presidents. What the bishops universally feel, and want to get corrected, just as in the Council of Trent, is that often the time of the Council is abused by irrelevant matter. And the Presidents set us all an example of patience. The Pope spoke of you very kindly the other day.

God bless you and the brethren.

CHAPTER XII

# QUESTIONS OF DISCIPLINE AND CANON LAW

It was on January 10 that the schema on Catholic doctrine was sent out from the Council to the deputation *de Fide* to be remodelled; and it was not until March 18 that the revision was presented at a General Congregation. The period was used for the treatment of matters of ecclesiastical discipline, practically the reform of the canon law. Twenty-eight schemata on points of discipline had been drawn up before the Council by the commission of canonists and theologians;[1] but only four came under discussion at the Council. The first two had been distributed on January 8; the discussion began on 14th. The first was on 'bishops, synods, and vicars general'; the second on 'the vacancy of episcopal sees'. The former was in seven chapters; the bishop's office, residence, visitation of diocese, visit *ad limina* (i.e. visit to Rome at stated intervals), provincial and diocesan synods, the vicar general, with Annotations.[2]

The general discussion of the two schemata 'as a whole' opened on January 14; it went on during seven Congregations, thirty-seven bishops taking part. On January 25 the two schemata were remitted for revision to the deputation *de Disciplina*: of this deputation Ullathorne was a member.

The course of the proceedings seems to show that public debate at a General Council was not a practical way of reforming the canon law. Only if, as seems to have been expected, the prepared schemata had been accepted with small discussion or amendment, could the thing have been possible. But the disciplinary schemata were subjected to the same fire of criticism as the dogmatic schema. Only a few outstanding

[1] They will be found in Mansi, v (53), 721-84.
[2] Mansi, 11 (50), 339-58; *Lac* 641-55.

eatures of the debates can be noticed, as illustrating the istory and atmosphere of the Council. A pocket notebook f Ullathorne's survives in which he took pencil notes at the ebates on discipline, being, as a member of the deputation, articularly concerned in them.

At the outset, January 14, the Cardinal President exhorted l speakers to study brevity, not wandering from the subject, or repeating what had already been said.

The debate was opened by Cardinal Schwarzenberg, rchbishop of Prague :[3]

> He wondered that the schema began with the bishops, not a word being said, unlike Trent, about the cardinals, or the Roman Curia, or the Roman Congregations ; though it is common knowledge that desires exist on these subjects. As to the bishops, only their duties and obligations are spoken of ; not a word is said on their status as successors of the Apostles, their office and dignity, jurisdiction and rights, and canonical position. Nor is anything said about the mode of election and appointment ; this seems greatly needed, as in most countries the nomination lies with the Government.[4]

Cardinal Mathieu, Archbishop of Besançon, and Simor, rchbishop of Esztergom, spoke in like strain : the latter ised a laugh by a protest against the expression ' Morbidae ecudes ' as neither Scriptural nor patristic,—bishops are iepherds of ' oves ', not of ' pecudes '.

On 14th two more disciplinary schemata were distributed.

The next day a Piedmontese bishop said that bishops are ld, should exhortations fail, to apply correction : this is npossible in these days ; something should be found more nsonant to the actual conditions of modern society.

Mgr. Darboy, the Archbishop of Paris, made a long and utspoken criticism of the schema and of the whole method of

[3] The debates Jan. 14-25 are in Mansi II (50), 358-518.

[4] It is worthy of note that the points raised by Schwarzenberg are met the Codex of Pius X.

procedure. As a sample of the full freedom of speech used by the bishops and allowed without let or hindrance by the Presidents, it will not be amiss to give an outline :[5]

He called for a summary programme of the full business proposed to be transacted at the Council. Forty days had now been spent on particular questions brought forward without order or connexion. What were the evils to be cured, and what the remedies proposed? They had hoped that a conspectus of the proposed work of the Council would be provided, not in an oratorical and diffuse form of words, but a short synopsis, that they might have before their minds what they were aiming at. If the principles were laid down the solution of particular and less important things would follow. But we are confusedly walking through a thicket of particulars and the vain and uncertain 'placita' of the schools. We are gravely discussing questions of canonists, and are being set to labour over all kinds of trivialities (puerilia).

Many had been fearing that the Vatican Council was going to attempt greater things than a sick society could bear. My fear is, lest having arrested the attention and the expectation of all, the Council be found unequal to the task it took in hand, in the judgement of those who make up that queen of the world, public opinion.

He turned to the schema: like Schwarzenberg and others he complained that only the duties of bishops were spoken of, not their status, powers, jurisdiction, rights. It is neither logical, useful, nor becoming to speak of the duties of bishops unless their rights have previously been asserted. And what a poor idea it is of a bishop's duties! Residence, visitation of the diocese, visit *ad limina*, provincial and diocesan synods,—is this the whole duty of a bishop! It seems as though the canonist who made the schema had looked out on the world from the recesses of a cavern or of a cell. He does indeed speak of the relations of bishops with princes and magistrates,—but how un-

[5] Mansi, II (50), 400.

happily (infuaste) does he touch on this question ! What ignorance of things, what want of care in words ! It looks as if they were written by a doctor of a royal court, who looks on religion as a department of the State. It regards a condition of things quite passed away in most countries. . . .

Finally, on the practice of making honorary vicars general, which the schema orders to be abolished at all costs : if such honorary titles are to be abolished, let the protonotaries and the innumerable honorary prelates at Rome be abolished also. These honorary titles are either desirable everywhere, or undesirable everywhere.

In conclusion : Let all the schemata to be brought forward be given to the bishops at once ; and let this schema ' de episcopis ' be sent out to the deputation to be emended, proper account being had of the rights and dignity of bishops ; and be reintroduced, corrected and augmented, no longer jejune and shapeless (informe), but such as may be approved by this venerable Council of so many and such great bishops.

It was a forcible and eloquent speech in good and easy atin. Darboy was followed by Melchers, Archbishop of ologne. He spoke against the tendency to over-centralizaon in the government of the Church : bishops' faculties ould be increased, not given ' ad quinquennium ' but lurante officio ' ; bishops being ' Ordinaries ' ought not to ed extraordinary faculties for dealing with constantly reirring matrimonial cases.

Here, the President intervened : This being new matter, it uld not be introduced at a General Congregation, but should submitted to the Congregation *de postulatis*.

This, on January 19, was only the second intervention of e Presidents in the course of the debates. On the same day e President said to an Italian bishop : ' Right Reverend ther, I beg of you this one thing, that you do not wander om the point, but keep to the subject under discussion.' lathorne has a note : ' A display of rhetoric—cardinals and shops laughing. President called him *ad rem*. He was

coming to the point—went on as before, everybody laughing.' There was no further intervention on the part of the Presidents during the course of this debate, to January 25, though some of the speeches were of prodigious length, Strossmayer's running to thirteen columns of Mansi.

The debate over, and the two schemata remitted to the deputation, an analytic synopsis was prepared of all the criticisms and exceptions that had been made in the speeches or in papers privately submitted to the deputation.[6] The minutes of the deputation *de Disciplina* are not printed in either edition of the Acts of the Council; but it appears from Ullathorne's letters that several sessions were held over the amending of the schemata. The revised schema *de episcopis* never was brought before the Council; but it is given in Mansi (V (53), 721). In compliance with the general wish, a very ample statement is prefixed, setting forth the status, dignity, and rights of bishops:

> Bishops hold the highest grade in the divinely instituted hierarchy, and so great is their dignity that in Holy Scripture they are decorated with the title of 'angels'. For, being placed by the Holy Ghost to rule the Church of God, they are higher than priests; in the place of the Apostles, to whom they have succeeded in the episcopacy, they exercise a legation for Christ. Hence it pertains to them to feed the flock of Christ, to guard the deposit of Faith, and out of the plenitude of the priesthood, which they enjoy, to ordain the ministers of the Church. So great being the height of the episcopal order, let all, laity and especially clergy, yield to them all rightful honour, reverence, and obedience.

Out of the debate on the schema *de episcopis* arose, not one of the scenes, but one of the episodes of the Council. As it was one of the two occasions on which the Pope administered a personal rebuke to a bishop for things said at the Council, it will be well to tell the story, even at the cost of a small

[6] Mansi, 11 (50), 865-900.

digression.[7] The affair had to do with the Oriental bishops. Not counting the four Patriarchs of the Latin rite, all Italians; or certain vicars apostolic of the Latin rite, as of Syria or Egypt, also Italians: there were at the Council just fifty genuine Oriental bishops, four of them Patriarchs. They were the bishops of the various Uniat Eastern Churches, of the Greek, Armenian, Syrian, Chaldean, and other rites. These Eastern Churches have ever been fearful of Latinization, clinging with jealous loyalty to their liturgies, traditions, customs, practices. So far as the liturgies are concerned, for all the indiscretions of some Latin missionaries, the Holy See has steadily safeguarded them; but certain customs and practices have not found the like favour, in particular the manner of appointing bishops and patriarchs. They were elected by clergy and people, and consecrated and installed without recurrence to the Holy See. The patriarchs entered on their jurisdiction at once, but asked for the Pope's ratification and took an oath of fidelity. The Council of Florence in the articles of Union had recognized the position. But it was little in accord with the mind of Rome, and in 1867, a bull 'Reversurus' was issued bringing the procedure into line with Western practice, and requiring papal confirmation before consecration. This bull had occasioned a schism among the Armenian Uniats, and very nearly another among the Chaldeans, averted with difficulty by Mgr. Audu, Patriarch of Babylon of the Chaldeans. In these circumstances the Oriental bishops came to the Council their minds full of forebodings of what might be in store for their privileges, customs, and even their rites. Audu became their spokesman, and he was the last speaker in the debate 'on bishops', January 25: or rather his was the last speech, translated from Chaldaic into Latin, read by the Archbishop of Sens:

> It would seem that a plan is afoot to establish one and the same discipline for the Western and the Eastern Churches, and to enact one and the same corpus of canon

[7] See Mourret, 226-42; Granderath, II, Bk. ii, c. 5.

c—c

law for both. Perhaps the illustrious consultors thought that there is little or no difference between the laws, customs, rites of the two Churches. But in reality they differ as far as the rising of the sun is from its setting, as far as a convalescent sick man is from a robust warrior. Bishops, priests, people are, many of them, raw converts from Nestorianism; churches, schools, seminaries are lacking; in many places Christians are slaughtered or transported, and churches are destroyed. Yet are the Chaldeans wonderfully faithful to their Catholic Religion. Judge then if it be possible to legislate for such a desolated church the same as for the flourishing churches of the West. In the things of Faith, whatever may be decreed by the Council will be accepted as a matter of course; but concerning canons of discipline the like cannot be said. The Orientals are so tenacious of their ancient discipline that even small things cannot be changed without tumult and scandals and danger to souls. In view of the circumstances he urged that not all disciplinary canons can be applied indiscriminately to all the Churches; that in each patriarchate any reformation to be attempted should be made in view of the actual conditions, to be considered by national synods; and as the practical solution, he begged the Pope to allow the Oriental bishops to consider any disciplinary canons of the Council, and to compose a corpus of canon law for the Eastern Churches, combining these canons with the old canons and constitutions of those Churches, this new code to be submitted for approval to the Council.

At his consecration as Patriarch he had sworn to preserve and hand on intact all the privileges and all the rites of the patriarchate. Any changes in these things would make more difficult the return to Catholic unity of the separated Eastern Churches. When the Uniat bodies had been received back from schism to the bosom of the Catholic Church, it had been under the definite condition and pact that there would be no change in the canons, rites, prerogatives, constitutions, customs and rights of their Church. To violate this contract would be against

justice, and a grave scandal alike to Uniats and to the separated.

Granderath and Mourret agree that there was nothing in is speech that need have offended the Pope ; and they think at had he waited until seeing the stenographer's report he ould not have been greatly moved. But before he saw the port an account had been given to him immediately after e Congregation, no doubt by Cardinal Barnabo, Prefect of opaganda, the prime mover in the effort to overrule the dependent Customs of the Oriental Churches, to whom udu's speech must have been greatly displeasing. How-er it was, Audu was summoned that same evening to the ope's presence and had a scolding : what the Pope said has ot transpired, but he called on Audu under pain of deposition sign there and then a paper undertaking to consecrate 70 bishops nominated by the Pope a couple of years pre-ously, but whom he had not consecrated in face of the itation called forth thereby. It was said that on leaving e Pope's presence he remarked to the Oriental bishops that did not consider himself bound by the signature. The shot was a schism in the Chaldean Church, lasting some ars ; and trouble went on between the patriarch and the oly See over the consecration of bishops without the Pope's nfirmation. After Audu's death, Leo XIII spoke of him a ' bishop conspicuous for piety and religion ' (Mourret, 5). For the rest, the Holy See has allowed the matter of e appointment of the patriarchs and bishops of the Oriental niat Churches to lie in abeyance (so Mourret, 241). It is orthy of note that canon 1 of the new Codex states that it is r the Latin Church alone, and does not apply to the Oriental nurches.[8]

The third disciplinary schema, on the Manner of Life of

[8] Granderath (loc. cit.) questions that the audience with the Pope was casioned by Audu's speech; he suggests that it was the sequel of events fore the Council. The account in the text is Mourret's, based on Icard's ary. Icard was likely to be well informed, being theologian of the chbishop of Sens, the one who read out Audu's speech to the Council. edrich's account may be set aside as entirely tendentious and exaggerated.

the clergy, 'de vita et honestate clericorum',[9] distributed on January 14, was introduced at the General Congregation of January 25. The discussion went on through eight Congregations, thirty-eight speaking, till on February 8 the schema was remitted to the deputation *de Disciplina*. On the first day spoke the Cardinal Archbishop of Seville and the Primate of Hungary, who raised the question of the reform of the Breviary. Martin of Paderborn pleaded strongly for beards for the clergy, enforcing his argument by pointing to the bearded Oriental and Capuchin bishops. Verot of Savannah urged that it should be forbidden for clerics to hunt with guns, that 'there never may be exhibited to the faithful people the disgraceful spectacle of a man of God going about the roads and fields shooting birds and beasts'. He spoke also of the breviary: some things in it cannot be read with gravity and reverence, as St. Augustine's explanation of the thirty-eight years the sick man at the pool of Bethsaida had been in his infirmity—'I must confess I can never read this without distraction'.

President: Let the Right Reverend speaker speak with greater reverence of the holy Fathers.

Verot: I do wish, Eminence, to speak with all reverence of the holy Fathers; but 'aliquando bonus dormitat Homerus'. He went on: apocryphal stories and incongruous homilies—as St. Gregory's, that the end of the world is at hand—should be removed.

President: The subject of discussion is the Life of the Clergy; the speaker has sufficiently expressed his desire for the reform of the breviary.

Verot: I would like to add something about the corrections of the breviary that have been made: the matter is of great importance.

President: If he does not speak of the Life of the Clergy, let him make way for another speaker.

Verot: I willingly obey; although I think the matter of reciting the office with reverence is intimately connected with the Life of the Clergy.

[9] Mansi, II (50), 517-22; *Lac* 659.

Of the English bishops Clifford spoke: Many of the pro-sed regulations were not possible for general application. regard to the breviary, he urged that provision be made for e weekly recitation of the whole Psalter.[10]

Haynald of Kalocsa, Hungary, spoke at great length (nine lumns), especially on the reform of the breviary: it should t be tolerated that anything fabulous or false be contained the great prayer-book of priests; it is high time that the entions of various Pontiffs in this matter be carried into ect.

The Bishop of Coutances spoke for so long that he ex-usted the patience of the audience, and several began con-rsing with one another; to whom he said: 'If you who talking wish to mount into the ambo, you can do so.' nother bishop failed to hear the President's bell thrice calling n to order for wandering; he apologized the next day. On bruary 8 the schema was remitted to the deputation, and discussion began on the fourth schema, the proposal for standard elementary catechism for the whole church; rty-one spoke thereon at six Congregations. Great diver-nce of opinion was manifested, especially on the proposal t Bellarmine's catechism, in use at Rome, should be the rm; the German bishops were very adverse to the sup-nting of Canisius' catechism by any other, it being in iversal use throughout the German lands, and most excel-t in itself. A Spanish bishop declared that as the Pope d: 'I lay before you a universal catechism for the Church God, all we bishops should say, "So be it, so be it," and thing more. He who sitteth on the throne, surrounded by four and twenty elders, is the Roman Pontiff surrounded the bishops, who, as often as and along with him they cree something in faith or discipline, cast their crowns fore the throne, saying, "Benediction and glory and wis-m and thanksgiving and honour to our God for ever and er." And so when the supreme Pontiff says a catechism is cessary, let us cast down our crowns, and say': etc.

The debate ended February 22; on this day occurred one

[10] This desire has been realized in Pius x's reform of the breviary.

of the lesser scenes of the Council. Haynald was speaking and was criticizing severely the shortcomings of Bellarmine's catechism. His remarks called forth vehement expressions of disapproval. He went on: 'Someone had said that the "shadow of Peter" would heal the schemata. It was the sick that the shadow of Peter healed, and therefore those proclaimed the schemata to be sick and infirm who had recourse to the shadow of Peter to cure them (murmurs of indignation). To catechize the people is one of the great duties and rights of a bishop; if a catechism is dictated to us, our sermons will next be dictated.' (A tumult of indignation; voices rising from all sides hindered the speaker from being heard. The President called for silence by a gesture and the speaker went on:) He had obtained from the Presidents permission to make an explanation in regard to his criticisms on the breviary, made in the previous debate, February 4: he had not made an attack on the breviary itself, but had urged that it needed reform, certain blemishes being removed. 'If there was any offence in this, I have as accomplices the Fathers of the Council of Trent; I have as accomplices the supreme Pontiffs who have effected reforms in the breviary; I have as accomplices those great and pious men who cherish this same desire of mine. . . .'

Cardinal Capalti, one of the Presidents, interrupted: You have sufficiently declared your mind as to what you said on the emending of the breviary. Further words are quite useless and most annoying to the Council. Put an end to this already long enough speech, and give place to another speaker.

Haynald: I certainly would have finished my speech. . . .

Capalti: You have made your explanations, and that is enough about them. Anything further will only be boring (non inserviunt nisi ad taedium); therefore it is enough.

Haynald: I have used my right.

But he was interrupted again and again by the bishops, who applauded Capalti's words, and on a definite sign he came down.

This closed the debate and the schema was remitted to the

deputation on discipline. There was a break in the holdin of General Congregations of a month's duration, fro February 22 until March 18, during which time an effort w made to alter the arrangements of the aula and lessen th acoustic difficulties. It will be convenient to anticipate thing and pursue to the end the matter of the catechism.

Four schemata on discipline had been discussed and sent t the deputation for amendment, and the deputation had bee at work on them; but the Catechism was the only one th came on for further discussion at the General Congregation The speeches had been analysed and scheduled,[11] and whe the deputation met it was agreed unanimously that the should be a standard elementary catechism, and that it shou be imposed universally as obligatory; also, that Bellarmine be taken as the basis of the new catechism. The schema w in great part rewritten, and was distributed on April 25, th day after the Third Public Session.[12] The discussion on th revised form began on 29th. There still was much dissati faction: Cardinal Rauscher (whose speech was read for hi by Hefele) still thought the idea undesirable and impracticabl it was most undesirable to supplant in the German lands th catechism of Canisius, which is quite as orthodox as Bella mine's (murmurs of the Fathers; the speaker, 'Liste kindly'). If such a catechism be made it should not b imposed as of obligation.

Verot urged that any vote taken now should be provisiona no final vote being given until the actual catechism be draw up and laid before the Council.

The next day Vaughan of Plymouth made a short speech to his mind Bellarmine's, as an elementary catechism fo children, was, of all known to him, the least adapted for th needs of our time, too diffuse in parts, and in others inadequat Also, the proposed catechism should be submitted at th Council. 'Though nervous, he got through very well,' sa Ullathorne.

Clifford followed with a conciliatory speech.

[11] Mansi, II (50), 931-44.
[12] Mansi, III (51), 449-56; *Lac* 664.

The emendations proposed were considered by the deputation. They principally centred round two points: the imposition of the catechism as of universal obligation, the bishops of Germany and Austria objecting to the suppression of the Canisius catechism;[13] and the allowing the actual drawing up of the catechism to pass wholly from the control of the Council and the bishops into the hands of Roman theologians.

On May 4 the votes were taken on the emendations one by one, and nearly all were rejected by large majorities. The schema as a whole was then put to the vote. There voted: placet, 491; non-placet, 56; placet iuxta modum, 44 (i.e. with a reservation to be expressed in writing and put in with the vote). The reservations are scheduled, Mansi 111 (51), 514-34; they were dealt with by the spokesman of the deputation at the Congregation of May 13. And here the matter of an Elementary Catechism was dropped; though ready for presentation, it was not brought on at a Public Session for the final voting and enactment. The fact was that the great debate on Church and Papacy had begun and was engrossing the entire attention of all, so that catechism and discipline had faded out of view.

In fact, the proposal of the catechism has remained inoperative, no move ever having been made since the Council to give effect to the idea of a standard elementary catechism for the whole Church. The use of local catechisms has gone on, according to the mind of the Minority bishops at the Council.

Ullathorne's letters follow, dealing with this phase of the Council:

> Jan. 20. Passing by your General [the Master General of the Dominicans] at the last Congregation, as I often have to do, a long speech was going on, he put out his hand smiling, and said, 'One has need of a good deal of patience';

[13] St. Peter Canisius having since been canonized, and created a Doctor of the Church, the attitude of the German bishops would no doubt command greater consideration now than it did at the Council.

so I whispered in his ear, 'Yes, I sometimes think of what is said in the Book of Maccabees, that the Romans hold possession of all things through their counsel and patience.'[14] He saw there a meaning below the surface and laughed out. Of course these Roman cardinals with all their shrewdness are sitting patiently four hours a day, and taking every man's measure; but on the other hand, they are also getting a good many lessons themselves. In that Congregation we had two of the most remarkable addresses yet delivered. And one could speak of the two million souls in his diocese [Darboy of Paris]; the other of the 800 parishes in his, which it took him ten years to visit [Melchers of Cologne]. The ability and importance of one prelate [no doubt Darboy] hung all ears upon his lips from beginning to end, and there were shrewd hits too, though given with the velvet glove in all politeness, as well as a large survey of ecclesiastical polity, and of the position of the Church, and of reforms deemed to be needful. It is worthy of remark that it is the great men, of great sees, who are the first in taking large and comprehensive views, and who give up contracted notions with the least sparing hand.

Jan. 21. We have generally about two great men up amongst the speakers each day. To-day it was Bishop Ketteler of Mayence and the Bishop of Orleans. Both were able, each represented his country. The German close, solid, not throwing away a word, and saying many valuable things. The Frenchman eloquent, rhetorical, yet saying some very good things, and treating one important point fully. He was the only man yet to whom the many bishops, including leading men, paid the compliment of crowding down in the middle, and there standing as close as they could to hear him more perfectly. He told me he had lost one eye and the other is very weak. It was much observed that his recent adversary in polemical warfare, Archbishop Manning, stood in front of all the listeners who

[14] Mac. viii, 3.

had left their places for the purpose of hearing better.

We had a new schema delivered to-day on the Church, quite a volume. I suppose we shall complete the first discussions on the first two schemata on discipline to-morrow, when they will be handed over to the special deputation for reconstruction.

The same date. We are now fairly launched into work, hold three General Congregations a week, and have had some very able speakers as well as some muffs. We have before us two long schemata *de Fide*, and four *de Disciplina*. The first *de Fide* is sent after long discussion to its special deputation. The two first *de Disciplina* will have had, I hope, all the first stage of discussion finished tomorrow, when our special deputation will begin its work. These two deputations will have no easy time of it. And in the end I suspect ours will be the hardest work.

I have been quite well for a long time until to-day, but I suppose this little touch of the old complaint will soon pass. I observed to-day in the Council that a good many bishops were ill, and hanging about the doors. You can always get a cup of good brodo [broth], or a glass of wine, by going into the adjoining chapel, where, entering a door at the base of the plinth, you find a nice room, with a little kitchen adjoining, all carpeted round, etc., with chairs and a sofa ; and, as in the tea room of the House of Commons, the enquiry of the next comer is, Who is on his legs, and what is he saying? Is it not odd to find all this in the internal base courts of St. Peter's?

Jan. 22. Since writing the above, another day, and another sitting of the General Congregation has passed. We hoped to finish our present subject to-day, but there are still four speakers, so we shall have to go in for it again on Monday, this being Saturday. And then for our work.

It is extraordinary how weak the men show themselves in discussion, who are unhabituated to public assemblies. They don't feel their audience, or the tone, tact, or method requisite for securing the interest and attention of a large

assembly of 'periti'. It is the grandest opportunity fo really able men, and we generally get about two in th course of a sitting. The Germans and Hungarians bea the Spaniards and Italians hollow. The latter have ha the bad training of academical discourses.

The same date. Just returned from General Congrega tion. All had hoped the discussion would have ende to-day on the two schemata, but we have had some muffs i place of speakers, and that means, soft, nonsensical, muff length. One speaker alone [a Peruvian bishop] awakene a deep interest, narrating the troubles and difficulties of hi distant church in illustration of points in question. I stoo by the ambo and watched the slow effect by which h gradually subdued the impatient and the restless wits, unt he fairly conquered them almost to tears, as at the close h himself wept from his heart.[15] A Council is like all th great assemblies in this respect, that many speakers fail t catch hold of the tone and mode that suits them. In thi respect the prelates of our constitutional countries sho their great superiority.

After all, this Council ought to be a very good thin for the souls of the bishops; for severed from the ordinar distractions of governing a diocese, one is entirely occupie with truth, with law, with the policy of the Holy Ghos If anyone occupies himself too much with things outsid the Council, it is his own fault. In some respects I loo upon this Council as a prolonged retreat, devoted to th divine Head of the Church and the Holy Ghost.

Jan. 24. I feel very strongly inspired to say somethin in the Council, which if well received, would be of grea importance for the clergy, and the sanctity of the Churc for all time to come, and I expect the opportunity wi present itself before many days are past. It is somethin on which I have thought much and long, if I can only s

[15] 'He spoke with great emotion and touched the Fathers with so grea sorrow that they acclaimed him as he came down from the ambo' (not of a bishop).

put it that others may see it in the same light. I write this letter and finish it to-day, hoping it will get in time for you to pray for my intention. [He seems not to have carried out this idea.]

We five bishops here [at the English College] are very happy together, three of them also have their secretaries. Bishop Vaughan is both my next door neighbour and constant companion, as we have our carriage and servant in common. We are very well provided in these respects. The other three bishops are Grant, Turner and Cornthwaite, and the Bishop of Shrewsbury will be here from England in another fortnight.

The more I see of this Council, the more sure I feel that great things will come out of it. It will give much light both to Catholics and to those who are seeking the Church. And there is due consideration shown for the sad condition of those who are in a state of blindness. As to discipline also, very valuable principles will be cleared up, and sound regulations based upon them. Then the discussions are enlightening all parties, and each portion of the Church is teaching the rest. Even the party warfare outside the Council is doing its valuable office of guiding things by its diagonal action into the ways of caution and moderation. All will come right, and begins to look like coming right. No extreme party will prevail. *Virtus in medio.* Even the intense curiosity pervading the exterior world touching the Council, and the agitation and exaggeration of the world's journals, are preparing the world itself for receiving the work of the Council, when it shall at last appear, in its true colours, in such a way as to make the deepest impression on human minds. No Council will have ever given such clear expositions of Catholic principles, or have dispelled so many erroneous impressions as to the real spirit of the Catholic Church.

It appears in the *Unità Cattolica*, as we had previously heard from rumour, that a Wallachian, known here as a spy of the Italian Government, was actually caught trying to enter the Council in the dress of a Bishop. The Assig-

natori di posti know the bishops so well, take the list of those present daily, and stand in a group daily, watching all whilst entering, that it would not be easy for a wrong person to get in and not be found out. When we come out in a great stream, with our papers and schemata under our arms, cardinals, patriarchs and prelates of all ranks mingled together, and streaming off in coloured lines to the doors, it is curious to mark the eagerness of the spectators, gentlemen, ladies, reporters, and others, all peering into our faces, and at the covers of our books, as if trying to penetrate the mysteries of the Council.

Feb. 2. There is talk now of a break up of the Council at the end of May, to be resumed in the end of autumn. The Pope is anxious to get business faster on, but that will be difficult with so large a body. Meanwhile some bishops are getting leave of absence, which the Council has to vote; some from pressing business, others from infirmity.

Feb. 4. It is quite true that a Council presents a large field for observation, not of individuals only, but of national idiosyncrasies. Nations come out here, all men of one tongue and one climate, with a distinctness from each other that perfectly individualizes them. For example: the Orientals have sweet and clear voices, with a certain richness, especially the young and middle-aged, the older voices growing thinner. Their movements and gestures are quiet and gentle, full of dignity and self-possession. For instance, there is an Armenian archbishop, with grave but youthful features, very regular and sweet, with his coal-black hair parted *à la Nazarène*, and peaked beard, who has been twice in the ambo; and his entire presence, front face, profile, gentle gesture, and sweet full voice, earnest without effort—his whole man, in short, so irresistibly strikes me as exactly like our ideal of Our Lord, just as He is painted in a certain old picture at Oscott, even to the very costume, that I have been wonderfully captivated with this type from the plains

from which the Hebrews sprang. Then there was a Pomeranian, who gave such an interesting and pathetic account of the difficulties of religion in his country as the basis and reason of his argument; and he spoke so bravely, so much like a martyr in spirit and in fact, that, as he ended, there burst out an unusual applause, even to clapping and bravos, which were ruled not to occur again, as unsuited to a Council and a church.

Strossmayer now sits just under me: he is a warm-hearted, affectionate Croat, as eloquent as he is warm, but apt to get over-vehement. We have taken quite an affection for each other. On one side of me sits the Bishop of Pegu, in Burmah, learned in Buddhism; and beyond him the Bishop of Hobart Town, Van Diemen's Land. On the other side sits the Bishop of Vancouver's Island, and next him the Bishop of the Sandwich Islands, all speaking English. Behind me is the Bishop of Ivrea, in North Italy, who says that his predecessor ordained St. Patrick, and that he has the body of an Irish Saint in his Cathedral. Behind them sit the Archbishops of Baltimore and New York; behind them Archbishop Errington; and, at the top seat, the new Primate of Ireland, who has just got the pallium [MacGettigan of Armagh]. If I go out at one end of the bench I come in contact with Bishop Serra, a Spaniard, and Long, an Australian bishop. If I go out at the other end near the cardinals, I come upon a bunch of Americans. But one gets to know half the bishops of the Council, to be on talking terms.

About this time rumours went about that Ullathorne had thrown in his lot with the Minority and had signed the petition against the introduction of the infallibility. Odo Russell, the agent in Rome of the British Government, in close touch with the rest of the diplomatic corps in Rome, said this in a letter to Manning,[16] and the *Times* correspondent put it into his Roman news. The following letter of Ullathorne was printed in *The Times* of February 11:

[16] Purcell, *Manning*, II, 439

I must ask you to allow me to state in your journal (1) that I am no Gallican: (2) that I have joined no party outside the Council, or with reference to the Council; (3) that I have signed no document drawn up by any person or party whatsoever; (4) that I neither contemplate secession from the Council in any contingency that could arise, nor do I know of anyone who does. Finally, that I am contented with the position of affairs in the Council.

Feb. 8. He wrote to Dr. Northcote: Yesterday I despatched a letter to *The Times*, not sorry that its Roman correspondent gave me the opportunity; as both here and in England rumour, and the trick of parties, has been free and unjust in the use of my name. It has been for some time said that I took part with, and signed the petition of the anti-papal party, as it may be called, for want of an accurate designation. On the contrary I have been exercising quietly a moderating influence. The Pope himself believed it, but now has been able to see with his own eyes that it is not true. Of course, as I told you before I left England, the outside of the Council is an arena of policy and intrigue, and moderate men are disliked by the extremes of both parties. Still I am quite satisfied with the position, and I know from most authentic sources that moderation will prevail.

I have not spoken. I prepared, but delayed in consequence of the diarrhœa, which is now quite gone, and left me well. After that, the Council got so wearied with long and prosy speakers, that I said the time was passed for the present. Then the debate still went on, and the great mass of prelates felt their time was being wasted, and as my views were of a high order, I felt they could not come in, and be taken up by exhausted bishops 800 strong in electric impatience. But I had qualms in silence, so I consulted a friend, and he said, 'Don't do it now, you will have another occasion'; and I acquiesced. But to-day, light flashed up anew in the debate, and to-morrow I shall have a good chance for one of my three points in the special deputation

of Discipline, which sits for the first time. About the *one* question, which has really occupied all minds, I think I can tell you with confidence, for it has not yet entered the Council, that it will be settled in so moderate a way as to satisfy all the prelates. Conflict out of doors has prepared for great moderation within, and this I say upon certain private knowledge, from three distinct but thoroughly informed sources.

After one scheme more has been discussed we shall approach that subject. You know it regards the prerogative of the Sovereign Pontiff. I could not have said this much had it been already before the Council.

Feb. 12. . . . Since writing the above, I have had to write a Pastoral, and we have had the first meeting of the deputation of Discipline. We are now waiting for the printing of the substance of thirty-six speeches, which themselves fill a large volume, before we go on with the work of reconstruction, to go again before the General Congregation. This is a Saturday, a free day, so you will get your letter.

Feb. 16. The Bishop of Shrewsbury is just arrived, giving better accounts of Bishop Goss, who is at Cannes. Bishop Grant was taken out of the Council the day before yesterday in a most precarious and suffering condition. He still lies in bed, but is easier. His case is a very anxious one, as it might at any time become mortal. He has suffered more torture for the previous two days than he ever did in England or here before. Up to this he has appeared to be gradually improving.

I think the number of bishops dead since the Council began is now 10, and others are seriously ill. Of course many are old men. I am quite well, unusually so.

The Council moves slowly on. We have had speaking, or enrolled to speak, twenty-eight bishops on one single point, the number speaking on one day varying from four to seven. After our present schema is finished we shall

come to the *great point*, and then the interest will grow intense. But all is prepared for moderate measures. I have just been having an hour's talk with the celebrated Bishop of Poitiers [Pie] on the position of affairs. He is a leader in the special deputation *de Fide*, and was very busy with the work of reconstruction of a schema that the General Congregation had sent out, mangled and pulled to pieces. What I said in the letter to *The Times* I repeat; I am quite satisfied with the position of affairs. If we are not doing as much in the time as Rome anticipated, we are doing more. All sides are learning great lessons for future use.

During this same time Bishop Amherst also wrote home:

Jan. 21. I never read anything so absurd as the accounts of the Council in *The Times* and other English papers. They don't know what to write and are obliged to invent. Nothing can be more quiet, orderly, and cordial, than the relations of the bishops at all the meetings, and the liberty of speech is perfect, anyone saying just what he pleases on the subjects in question. In fact, unless people in England know things for certain from other sources, they may put down all they read as *lies*. All is going on in perfect order, and the questions before us are being thoroughly discussed.

Feb. 1. As to the Council, all I can say is that it goes on vigorously and calmly. There has not been the semblance of a *scene*, as some of the papers make out. Dupanloup did not touch upon the infallibility question in his speech, and as to liberty of speech, that is entire. Men are never called to order unless they wander from the subject and waste time; and that has only happened once or twice.

I hear the *Standard* has said something silly about me and Clifford, and wants to make out that I signed a petition against the definition. I authorize you to contradict this *in toto* if you hear it mentioned. There is no use in writing

to the paper to contradict it, they would only have something still more stupid next time.

Feb. 4. The Purification was a great day in St. Peter's. The Pope blessed the candles but did not distribute them to all the bishops on account of time; and only eighteen, besides cardinals and patriarchs, wore cope and mitre and went in procession. Still it was very grand, the church full of people, among whom I saw several English uniforms; Scott-Murray was very grand in red and silver as a Knight of Malta.

Dr. Clifford made a great speech yesterday in the Council, which seems to have created quite a sensation; he spoke for nearly an hour, and it was certainly one of the events of the Synod.

Clifford had made his studies in Rome and spoke Latin fluently and well. The speech of Feb. 3 was on 'The Life of the Clergy'. He urged that many of the regulations proposed would be impracticable in Protestant countries: he advocated a reform of the Breviary, especially a weekly recitation of the whole psalter. The only part of the speech at all sensational was the end, wherein he pointed out that the practice of sending all schemata out of the Council to the deputations, to be reconstructed, was counter to the prescriptions of the 'Multiplices', by which only points of special difficulty should be remitted to the deputations, but the emending of the schemata should be the work of the body of bishops in Congregation. 'A General Council (it is of Catholic faith) can be convoked only by the Pope, and to him it belongs to lay down the method by which the business is to be conducted. If we can speak at this Council, if our decrees are to have any force, it can only be in so far as they accord with what is laid down in the "Multiplices". No one of us has the right of proposing, discussing, or ordaining things in a different way from what is laid down in that constitution. To do so is to expose to doubt the validity and authority of our acts.'

Strong and clear doctrine from a Minority bishop. (See Mansi, 11 (50), 602-9.)

Feb. 10. The Pope is wonderfully well, and I don't know how he manages to get through all he has to do. He says he is eighty, but is as active as a man of sixty in perfect health. A number of French people nearly pulled him to pieces at one of the great audiences. The guards were obliged to surround him and hold up his arms above their heads to get him out of the crush and scramble. Mr. Danvers-Clarke and his wife were there and they describe the scene as inconceivable. It was all affection, but the Pope was obliged to say : ' Save me from my friends.' An American lady called out to the Pope to ' speak up', but I don't think she meant anything uncivil.

Feb. 24. The story about a false bishop is a good one for those who like sensational tales. Not one of us has heard of such an adventurer, excepting through the English papers. Such a thing is simply impossible, just as much so as a false peer getting into the House of Lords. What will they say next? As far as I am concerned, not one word of what the Protestant papers say is true, but as yet I have not thought it worth while to contradict what they said.

We spent Shrove Tuesday at Frascati and enjoyed ourselves. Mrs. Furse gave us an English dinner : roast beef and boiled turkey, but forgot the pancakes.

CHAPTER XIII

# DISSATISFACTIONS WITH PROCEDURE

After the Congregation of February 22 there was a month's break in the holding of General Congregations, until March 18. During the interval a further endeavour was made to rearrange the Council-hall and improve the acoustic conditions, still unsatisfactory. This, however, was not the reason for the suspension of Congregations; the real reason was that the work of the Council had come to a standstill, the deputations *de Fide* and *de Disciplina* being congested with the work remitted to them by the Council. The General Congregations had done nothing but pull to pieces the schemata laid before them, and hand them over to the deputations to be recast. The deputation *de Fide* had had in its hands since the middle of January the Constitution on Catholic Faith, and was still engaged upon it; the deputation on discipline now had four schemata to revise. It was felt there was no use in piling up more work for the deputations until that in hand had been cleared. A universal sense prevailed that the Council so far had been a failure. No positive result had yet been achieved, not a single decree or canon enacted: 'per totam noctem laborantes nihil cepimus' was heard on all sides—after three months' work we have got nothing!—only endless speechifying and destructive criticism.

The general dissatisfaction found expression in a number of representations addressed to the Presidents and to the Holy Father himself.[1] Senestréy of Ratisbon in particular put in a long statement: the speakers speak as orators, and the speeches are rhetorical efforts, diffuse, vague, obscure, not to the point; there is no real debate or discussion on the questions at issue, no co-ordination between the speeches, each one treating of a fresh aspect of the subject out of all

[1] Mansi, III (51), 4-9.

relation to what has gone before; only those who unite a loud voice to fluency in Latin, and have no shame in consuming time, can get a hearing. He proposed remedies: that a time-limit of a quarter of an hour be set for the speeches; that some of the theologians should be present at the Congregations to reply at once to questions and difficulties at the call of the Presidents.

These petitions were referred to the Congregation *de postulatis*, which formulated a series of proposals to be submitted to the Presidents, who in turn communicated with the Pope. As the result the Presidents at the end of the Congregation of February 22 promulgated by order of the Pope a decree supplementing and modifying the procedure established by the decree 'Multiplices' at the beginning of the Council. These new regulations raised a great storm among the Minority bishops, as unduly interfering with freedom of debate, and even opening out questionings of the proper liberty of the Council and the validity of its acts. This, then, will be a suitable place to take in hand and weigh the objections and grievances urged by the Minority against the general conduct of the Council.

The grievances went back to the original Regulations promulgated at the outset in the decree 'Multiplices'. In all things the Pope kept to himself the complete mastery. Things which at Trent had been left in the hands of the Fathers—settlement of claims to take part in the Council, appointment of officials, regulation of procedure, etc.—were all now fixed by the personal act of the Pope. Such things were not vital; but one thing, left indeterminate at Trent, the right of proposing questions, 'ius proponendi', was in the eyes of many vital. It was now laid down unequivocally that the right and duty of proposing the matters to be treated of at the Council belongs exclusively to the Pope and the Apostolic See. The bishops were invited and exhorted to suggest freely anything for deliberation that they thought would be for the general good of the Church. But such proposals or postulations must be submitted to a special Congregation, nominated by the Pope, for dealing with such

postulates, to consider them and report its advice to the Pope, with whom the decision would lie as to whether the thing be brought forward at the Council or not. On January 2 was addressed to the Holy Father a respectful but firm protest, claiming that it was a right, not a concession, for any bishop to bring forward at the Council anything he believed in conscience to be for the good of the Church; and objecting to such proposals being subject to the control of the Congregation *de postulatis*.[2] It bore the signatures of twenty-five archbishops and bishops of Germany, Austria, and Hungary, headed by Cardinal Schwarzenberg, and the single other signature of Archbishop Kenrick of St. Louis, U.S.A. The Pope's answer was that he could not admit that any prejudice to the rights of the bishops was done by the regulation, which he therefore adhered to.

It has to be remembered that the Vatican Council, though an œcumenical Council, was also a deliberative body for the transaction of business, and therefore some method of controlling the agenda was a matter of practical necessity. That it should be allowable for every bishop to bring forward anything he thought to be for the good of the Church, was an idea plainly impossible, so that there was need of some control. So Ullathorne thought: in the letter of January 1 he said: 'Some such provision [as the Congregation *de postulatis*] is needful, to prevent the time and patience of the Fathers being consumed by all sorts of things, fit or unfit, being introduced.'

It is worthy of note that the procedure of the Council, its machinery, was in the main that suggested by Hefele, himself a leading spirit of the Minority; and in particular the Congregation *de postulatis* was his idea. No one could express more forcibly than he did in his Report the need of such a control:[3]

> It would be impossible that every bishop could bring forward at the General Congregations as many propositions

[2] Mansi, 11 (50), 52; *Lac* 917.
[3] Mansi, 1 (49), 534; *Lac* 1089.

as he wished : all order of discussion would be thrown into confusion ; a wide door would be thrown open to petulance of spirits ; endless superfluous matters would be brought forward ; disputes would arise ; and everything would be interminably protracted, so that there would be no end.

And when it is realized that the postulations for subjects to be brought on, submitted by the bishops to the Congregation *de postulatis*, run to 330 columns of Mansi (v (53), 331-662), and that they range freely over the entire field of faith, morals, discipline, canon law, relations of Church and State, and practical devotional life, it will easily be seen that some control of the kind was necessary : otherwise, in order to deal with a programme so immense, would the Council have had to go on in permanent session from that day to this, and, at the rate at which it did its work, would not yet have finished.

The Congregation *de postulatis* worked assiduously on the great miscellaneous mass of material laid before it up to the end of April ; then it divided itself into four sub-committees to try to cope with its task. The prorogation of the Council made impossible the introduction of any of this fresh matter.

The supplementary regulations promulgated on February 22 were intended to quicken and make more businesslike and less cumbrous the procedure of the Council ; yet against them very vigorous protests were made.

The main provisions of the new decree were as follows :[4]

When a schema was distributed, a period was fixed by the Presidents during which such bishops as wished should write their criticisms and suggestions, all to be submitted to the appropriate deputation. The deputation would take all into consideration and recast the schema in the light of the various comments ; and the recast schema along with a summary of all the suggestions should be printed and circulated. After a reasonable time for examination the matter would be brought before the General Congregation and submitted to a discussion, first of the schema as a whole,

[4] Mansi, III (51), 13 ; *Lac* 67

and then of each of its parts. All proposed amendments were to be scheduled by the deputation and circulated in print, the deputation by its spokesman recommending the adoption or rejection of each. The amendments were then to be voted for one by one, the votes being given by the bishops standing up from their seats. The deputation should incorporate in the text the amendments adopted. Then the schema was voted on as a whole by ' placet ', ' non-placet ', or ' placet iuxta modum ', each one who gave this latter vote submitting in writing the amendments he desired. These amendments were considered again by the deputation, and subjected to yet another voting of the Congregation. Only then was the schema proposed at a Public Session, to be finally voted on by ' placet ' or ' non-placet ', 'iuxta modum ' being now excluded ; and, if so be, to be confirmed and enacted by the Pope.

There was provision for ' closure ' : if a discussion was being unduly prolonged when the matter had been sufficiently exhausted, the Presidents, at a request in writing from ten bishops, might ask the Congregation if it was the wish that the debate should go on ; and if a majority voted, by standing up, in favour of ending the debate, the Presidents might apply the closure.

The following letter written on the very day, February 22, shows Ullathorne's approval of the new regulations :

To-day has seen a great turning-point in the history of the Council. We have been long crying out for more and better regulations in the management both of the discussions and the general business of the Council. Private and public representations have been given incessantly. Amongst others, I went to one of the Presidents and both pointed out the evils existing and suggested remedies. Others did the same, and the last schema discussed has been so long in hand, we have been so wearied with endless repetitions of the same things, and with long diversions from the point, that bishops were getting positively sick of

the whole business. But Rome, with its usual wisdom and its shrewd penetration, was carefully noting and considering everything. And to-day, after a more tedious discussion than usual, had brought the subject in its first state to an end, we were all wakened up by the publication of a code of new regulations, which were, several of them, loudly applauded as, one after another, they were read out, and then given us in print. A list of the whole of the schemata yet to come was also distributed, and six new schemata put in hand. After that, we all went out with unusually light steps and smiling faces, that must have whetted the curiosity of any newspaper correspondents that might be on the look-out for signs and tokens of what had been doing.

Half an hour before, we had been trying to get a prelate down from the ambo, who we thought was talking to no purpose, by crying all over the aula: 'Satis, descende'. But he seemed to think we were crying 'Satis bene', for the more we called out, the more earnestly he went on, plunging from one pit of untimeliness into another. So, through sheer stolidity, he went on and finished, and our innocent revenge was to give him some hearty laughter when he came down.[5] It is extraordinary how men, not trained or used to the habits of public assemblies, lose hold of the Council after a few sentences, whilst others keep hold of everybody's attention on to the last words of their address. The two classes who best succeed in holding attention are those accustomed to public meetings, and those who have been theological professors. A Spaniard the other day completely redeemed the reputation of his nation by the brevity, point, wit, solidity and truth of his arguments and replies. But then he had been a practised theological professor.

The new rules throw very heavy and constant work on the special deputations, and I see that ours will have far the most work, as not less than twenty-eight schemata, in the course of the Council, will come to us.

We now expect that we have a holiday until the begin-

[5] This must refer to the Haynald episode (p. 198.).

ning of Lent, but we are to have special notice of the next General Congregation, so we know not when it will be, though no one expects work until after Ash Wednesday, beyond their private studies.

This letter implies that the regulations were very generally welcomed; yet the Minority bishops were greatly moved by certain features in them, and soon various protests went in, one from thirty French bishops, one from twenty Italians, Orientals, and others, two from thirty-six Germans, Austrians, and Hungarians, and later one from four Americans; ninety in all.[6] The chief object of protest was the closure: it was claimed that every bishop, as witness to the Faith, has the right not merely to vote, but to set forth the grounds on which his vote is based, should he desire to do so. Such a theoretical claim, if acted on by all or nearly all the 700 Fathers, would have led to endless repetitions and have made the Council impossible. It was, on one side, a deliberative assembly, and was bound to some extent to fall under the laws found necessary for the conduct of business in all deliberative assemblies. As a matter of fact, though often called on to do so, the Presidents applied the closure only once, June 3, and, as will be seen, Ullathorne considered their action to have been justified and proper.

The method of voting by standing up was also objected to, as an innovation, and as being 'contagious', not securing the full responsibility of an individual vote by voice; it was urged that at least each canon under anathema should be separately voted on vocally. It has to be realized that the individual voting 'placet' etc. by 600 was a long business; we have it from Ullathorne that it took two hours, or at least one and a half, to take such vote, each name being read out and the vote recorded; it might have been possible to shorten the process, but hardly to less than an hour, ten a minute. It was evident that the hundreds of amendments could be dealt with only by some quick method. Standing up is not more contagious than show of hands, which is not considered to

[6] Mansi, III (51), 18; *Lac* 958.

impair the responsibility or the freedom of a meeting.

More important, a protest was made against the principle that questions should be decided by a majority; it was urged that the practice followed in œcumenical Councils should be adhered to, and dogmas of Faith be defined not by a numerical majority, but by a moral unanimity; a principle so fully accepted by Pius IV that at Trent, when an important question of dogma was being dealt with, he said 'he wished to define nothing but what should be decreed by the unanimous consent of the Fathers'. And, so vital was the point thought to be, these bishops declared, that if it were not conceded 'their conscience would be weighed down with an intolerable burden, and they would fear that the character of the Council might be called in question and its authority undermined, as lacking liberty'.

Over this matter of moral unanimity a great controversy broke out; pamphlets were circulated on both sides, and the thing kept cropping up continually until the end of the Council. Bishop Fessler, the Secretary, was commissioned to make a report. He was a learned man, who had been professor at Vienna University of Church history and canon law. There was really not much evidence available. At some Councils, as Constantinople I, unanimity was obtained only by the abstention of a number of dissidents. The only fact that really told with force in favour of the theory of moral unanimity was the action of Pius IV, and this might well be held to have been a counsel of prudence, not the assertion of a law.[7]

On this point Ollivier is able to point out that

> Up to the Vatican Council Ultramontanes and Gallicans agreed in rejecting this unreasonable pretension, and in recognizing that even at Councils a majority ought to prevail. Bellarmine teaches: 'That is a true decree of a Council which is made by the majority, for otherwise no decree would be legitimate, there being always some

[7] Granderath gives a summary of the pamphlet controversy, III, Bk. i, c. 4.

dissentients.' And the Cardinal of Luzerne, one of the lights of pure Gallicanism, approves this doctrine: 'Unanimity is not necessary for the decision; it is the majority that makes it.'[8]

Apart from the aforesaid objections, which were considered by those who made them to touch matters of principle vitally affecting the very essentials of the Council, a variety of proposals for the better conduct of business were made, some of which certainly were reasonable enough. One was that the prepared schemata should all be given to the bishops at once, and not be let out in driblets, so that they might know from the beginning the full work before them and the inter-relations between the various items: it often happened that a criticism was met by the assurance that the point was dealt with in a schema not yet circulated. This request, reasonable in itself, was met by the reply that there were obvious reasons against it: it must be supposed that the danger was meant of schemata getting prematurely into the public press, as some did, thereby causing no small mischief: the secrecy of the Council was badly kept.

Another proposal was that each bishop should be able to go to the Congregation *de postulatis* or the deputations, to explain and defend his proposals or amendments. This again seems reasonable,—until we reflect that it was quite unworkable: if the hundreds of amendments were to be thus discussed with their proposers, the work of the deputations would have been endless and hopeless. Again, in view of the difficulty of any kind of close discussion at the Congregations, it was suggested that commissions of the bishops of the different nations should be set up, to thresh things out at meetings of a manageable size at which real discussion would be possible; and then one or two bishops be appointed as spokesmen for the public debate at the Congregations. It was answered that this might be done privately, but no such arrangement would be admitted as part of the authorized machinery of the Council.

[8] *L'Église et l'État au Concile du Vatican*, II, 74.

Another suggestion was made to meet in part the inconvenience arising from the bad acoustic properties of the Council-hall, so bad that, at any rate at first, the speakers were unintelligible and even inaudible in large tracts of the hall. It was suggested that the stenographic reports of all the speeches should be printed and circulated day by day; or at least that every bishop who wished could have his speech printed and circulated. This again seems reasonable, until we look at the reports in Mansi; if this great volume of oratory had come out day by day bishops and deputations would have been snowed under. That a bishop might not have his speech printed fell under a general regulation, that nothing concerning the Council might be printed in Rome itself by any bishop whomsoever; such things might be printed elsewhere, and many were printed at Naples or Paris, and might be brought to Rome; but each bishop had to see to the circulation of his own productions; the Roman Post Office would not undertake the delivery of such literature. These restrictions did not in fact impede the free circulation of a great quantity of controversial literature; but they were vexatious, and certainly tended to foster in the Minority bishops a sense of irritation, a sense that they could get no hearing even when their representations were reasonable enough. There was no disposition on part of Presidents or Pope to conciliate or meet them in any degree.

It is worthy of note that M. Ollivier, viewing things from the independent standpoint of a statesman practised in parliamentary routine, makes a telling defence and justification of the Pope's Regulations for procedure, and of the actual conduct of business at the Council.[9]

[9] *L'Église et l'État au Concile du Vatican*, II, 67-77.

CHAPTER XIV

# ATMOSPHERE OF THE COUNCIL

Having spoken in the foregoing chapter of the dissatisfactions felt by many with the rules of procedure laid down by the Pope, we may now fittingly speak of what may be called the 'atmosphere of the Council', the mentality of the different parties, and in particular the nature of the proceedings, a point on which there has been very violent controversy.

At the middle of February Dr. Ullathorne wrote the usual Lenten pastoral letter, to be read in all the churches of his diocese of Birmingham, and he spoke to his people of the Council:

GIVEN AT ROME OUTSIDE THE AURELIAN GATE THIS 10TH DAY OF FEBRUARY 1870

Much will you have heard through the newspapers respecting the proceedings of this great Council, and much that is either altogether untrue, or that is the very opposite to the truth, or that is so distorted from the facts, that it no longer has the likeness of truth upon it. . . . Yet how can it be otherwise? For as to what comes before the Council, and as to what is said in discussion by its members, all who are within the Council are bound to solemn secrecy; whilst outside the Council, the society gathered together from all quarters of the world is a prey to ever-changing rumours, guesses, and imaginations of what is passing within the forbidden doors. About those entrance-doors, and in the great nave of St. Peter's, a gazing crowd, including the correspondents of the newspapers, alive with excited curiosity, and left a prey to their imaginations, get their minds disposed to take fire with fancy at every word they hear dropped, so that out of the smallest materials they build up imaginary scenes and speeches, and

fill the minds of the outer world with airy inventions of what is passing within the Council and amongst its members. Thus schemes are said to be under discussion which are not under discussion; designs are attributed to the Council of which the Council knows nothing; and bishops are invested with views and notions and are described as taking this or that course of action, which are utterly unbefitting their characters, and are often in direct opposition to their real sentiments.

Large bodies move slowly, and the Church acts with great deliberation, prudence, and moderation. As to the agitation respecting the Council which moves the outer world, we only mark in it, how much the solemn assembly of God's Church weighs on the minds of men; how it stirs them with hopes and with fears; and how portentous to the heart of man is the power of the Church. One cannot but see already that its work, like the work of its divine Master, will be for the resurrection and the fall of many.

Within the Council itself, we may say that it unites order with reverence; dignity with apostolic freedom; and the keenest sense of responsibility with an untiring patience and charity.

These words present the picture of a dignified, orderly, religious assembly, strangely at variance with the picture popularly accepted, at any rate in England, which is one of intrigue, violence, and unseemly behaviour of every kind: on my telling a friend I was at work on the Vatican Council, the comment came pat: 'I have always understood it was a regular bear-garden.' It might be said that what Ullathorne wrote in the pastoral was what a prudent and loyal bishop would write in a public letter to his flock, and should be taken as representing his official, not his real, mind. But we have seen, and we shall go on seeing, that the tenor of his private letters, in so far as the proceedings inside the Council-chamber were concerned, was from start to finish steadily in the same sense as the pastoral.

Here it is necessary to deal with another set of letters from Rome during the Council, presenting a very different picture from Ullathorne's,—the letters mainly responsible for the popular ideas of the conduct of the Council. These are the famous *Letters from Rome* of 'Quirinus'.[1] They are sixty-nine in number, published in the Augsburg *Allgemeine Zeitung* during the whole course of the Council. It is known that the writer was Döllinger; but they were made up from materials supplied to him from Rome by three correspondents, closely in touch with the principal Minority bishops and with the embassies of the Catholic Governments, and so were (presumably) well informed on what was going on. Two of them can be identified: Dr. Friedrich and Lord Acton. Of Acton's activities more will be said in the sequel. Friedrich was in Rome in a twofold capacity: he was theologian to Cardinal Hohenlohe, brother of Prince Hohenlohe, the Bavarian Foreign Minister; and he was an official agent of the Bavarian Government, attached to the Bavarian embassy at Rome. As Council theologian to the Cardinal he saw all the documents of the Council, and was conversant with everything that took place: the bishops' theologians were admitted to all the Council secrets. But more than once Quirinus scouts the notion that the secrety imposed on all members of the Council had any binding force; and so in his letters everything is freely laid bare—the contents of the schemata, reports of speeches, all the incidents. Thus, by this breach of confidence, the Letters of Quirinus contained a quantity of information nowhere else to be found, and that could not well be controlled, until the publication of the full Acts in the continuation of Mansi during these last half-dozen years. It was this circumstance that enabled the English translator to claim in 1870, 'that this collection of letters is the best authority for the history of the Vatican Council'. They were first in the field and they have held the field ever since, at any rate in England. For instance, in so popular a controversial book as Dr. Salmon's *Infallibility*, the account of the Vatican

[1] The English translation (Rivingtons, 1870) makes a volume of over 800 pages.

Council, told with all the raciness of which Salmon was master, is really based wholly on Quirinus. But now, thanks to the publication of the Acts, it is possible to test the accuracy of the picture presented in the Letters, and it is incumbent on any historian of the Council to take this task in hand.

Quirinus is bitterly hostile to the Council; his letters are frankly and undisguisedly partisan and one-sided, without pretence of any kind of impartial estimation; in them are manifest the spirit and the hand of 'Janus': the Council is the outcome of a carefully laid plot on part of Pope, Curia, and Jesuits, to bring about the complete subjugation of the bishops and the whole Church to the Roman Curia: the official reason given for its convocation, 'to find a remedy for the religious and social disorders of the times', was a blind; the true objective, designed all along, was nothing else than the definition of the Pope's infallibility: that once secured, the Pope had only to proceed by decrees to re-enact and re-enforce Syllabus, 'Unam Sanctam' of Boniface VIII, deposing power, papal domination of Innocent III and Hildebrand, and so assert the complete subjection of State to Church even in the temporal order, thereby bringing about irreconcilable and disastrous conflict between the Church and modern society as constituted in all civilized countries, to the irreparable injury of religion.

Such was the alarmist campaign of Quirinus and his associates. It has been proved a baseless panic by the logic of facts during the sixty years since the Council. But it has to be recognized that wild statements of over-enthusiastic papalists at the time did give some colour to such fears.

What concerns us, however, more nearly is the picture Quirinus presents of the happenings in the Council and of the mind of the Minority bishops. His picture is one of the central authority crushing a minority by mere force of numbers, and having recourse to all the expedients by which a government with an obedient majority at its beck can browbeat and muzzle and render impotent a minority opposition. To such an extent were these methods of coercion used, that finally the Minority protested that the Council was not free.

Such is Quirinus picture : and the question is, How far is it a true picture of the Council itself, and of the mind of the Minority bishops?

And herein, to my mind, lies the value of Dr. Ullathorne's letters, as a counterpoise to those of Quirinus ; being the only set of letters known to me hitherto published from the inside of the Council, by one who actually took part throughout ; a shrewd observer of sound practical judgement, a non-party man who stood for moderation, and kept himself austerely aloof from all agitations and movements and petitions and protests that were going on outside the Council. His is probably the most impartial, and therefore the truest, impression obtainable of the atmosphere and character of the Council.

It may be that his very aloofness from the movements afoot outside the Council-chamber, though he was well aware of all that was going on, tends to give to his impression an undue optimism, for his letters are steadily optimistic in tone. And it has to be recognized that Ullathorne's picture is more optimistic than that of the abbé Mourret, reflecting the Diary of M. Icard. Icard was in Rome at the Council as theologian of Mgr. Bernadou, Archibshop of Sens. He was at the time Director or Superior of the Seminary of St. Sulpice in Paris, and had been during forty years professor there of theology and canon law. A number of the French bishops had received their training and had made their theological studies at St. Sulpice during these years, and they looked on Icard as their old teacher and spiritual father and valued friend. Thus they flocked around him in Rome, and he was deeply in the confidence of the leading French bishops of both parties, as Darboy, Dupanloup, Pie. Though Bernadou was a moderate inopportunist, Icard himself had always taught a clear but moderate and strictly theological Ultramontanism. He will figure largely in the sequel, for his influence was great and extended over wider circles than the French bishops : it was always exercised on the side of moderation and conciliation.

The leading French bishops sought his advice at every turn, or listened to it willingly when proferred ; the Cardinal

Presidents consulted him: so that he was one of the most influential forces—an always pacificatory influence—behind the scenes. Through his relations with so many of the French bishops Icard was thrown into the thick of the fight in a way that Ullathorne in his aloofness was not. Thus the picture of the Council drawn by Mourret, chiefly from Icard's Diary, is one of stress and strain, certainly less pleasing than Ullathorne's.

Although up to Easter the great dividing line of the Papacy had not yet been broached inside the Council, outside, the keen controversy was in full course, indeed, had been from the outset, and the two great parties, Majority and Minority, had been definitely formed. And Mourret declares that all the earlier discussions and debates were carried on under the shadow of the 'Great Question' that everyone knew was lurking below the horizon and was surely destined to emerge. And so the earlier proceedings of the Council, even the discussions on quite neutral questions, as the Catechism, were overclouded and vitiated by an atmosphere of misunderstanding and mistrust between the bishops of either side. The month of marking time, during which the General Congregations were suspended, will be a suitable point at which to take stock of the state of affairs, and to try to form a just estimation of the forces ranged on either side.

It would be just as wrong-headed to view the Majority, with Quirinus (and Salmon), as a block of fanatical, ignorant, cowardly men, 'abject sycophants' (Quirinus), weakly yielding to pressure from above, afraid to stand by their real convictions, and voting down their opponents by sheer force of numbers; as it would be to view the Minority as factious, disloyal, anti-papal, half-Catholic. Far otherwise was it: the Minority numbered among its members many of the foremost and finest bishops of the Church, and not a few of the leaders were afterwards raised to the Cardinalate by Leo XIII, nay, by Pius IX himself.

Long before the introduction of the actual papacy debate, in fact from the very beginning, the existence of a Minority out of touch with the management of the Council and the

conduct of affairs made itself felt. One of the Cardinal Presidents said to Icard at an early date that there was 'an Opposition'. Certainly the Minority had definite complaints causing dissatisfaction and friction—it is of the nature of a minority to have dissatisfactions on the conduct of the majority. It will be well to hear them, even as expressed by Quirinus.

(1) The first was the matter of the acoustic properties of the Council-hall. As at first arranged many, perhaps most, of the bishops could not hear what was said by the speakers. This we have heard from Ullathorne, as also the various proposals to hold the Congregations elsewhere, as in the Sistine or the Quirinal; we have also heard from him the alterations made in the attempts to improve things in the aula. He was quite satisfied with the result, but he tells us he had a good place: his notebook shows that he could hear quite well from January 14 to February 22; he specially notes one speaker as inaudible. On the other hand, Darboy declared still on January 19 that he could hear or understand hardly anything from his place.

The allegation made by Quirinus more than once, that it was done on purpose by those managing the Council, in order to stifle discussion and muzzle the bishops, is too foolish to call for comment. As a fact, part of the reason for the month's break in the holding of Congregations after February 22, was to allow of another effort being made to improve matters. The Archbishop of Cambrai at a later stage assured his clergy that anyone who spoke clearly could be heard.[2] One of the cardinals was reported as saying he had heard nothing at all all the time. It is to be remembered that many of the bishops were very old men; it would be impossible to provide a hall seating 700, in which old men could hear well. It may safely be said, that unless the great body of bishops had heard fairly well, there would not have been 600 of them in regular attendance at the lengthy Congregations.

(2) One principal complaint of the Minority was the number of non-diocesan bishops who took part in the

[2] *Lac* 1410.

Council. As this figures so largely in Quirinus and in Salmon, and in other hostile writings, it is right to go into the matter exactly. Says Quirinus: 'It has become evident that the strength of the Romanist party lies in the number of titular bishops selected by the Pope, and vicars apostolic or missionary bishops' (Dec. 29; p. 118). At the end of Mansi, v (53), is a catalogue of all those entitled to take part in the Council, 1000 in number. Of these 750 actually were there. The longest roll-call was that of the Second Public Session, January 6, when close on 750 responded. Of these 94 were not bishops at all: viz. 23 cardinals in Curia and 41 superiors of Religious Orders. It is possible to distinguish the non-diocesan bishops, because they are marked 'in partibus infidelium', and when any one of them was a vicar apostolic, etc., the fact is entered. There were just 100 non-diocesan bishops, and of these 57 were vicars apostolic.[3] The statement of Quirinus, repeated by Salmon, that 'the bishops *i.p.i.* were persons having no flocks, or only having them in expectation, and representing in fact nothing and nobody, and can therefore bear no testimony to the faith of their churches, which have no existence,' is quite extraordinarily out of touch with fact so far as the great majority of vicars apostolic were concerned. For instance, at that date the Catholic hierarchy had not yet been set up in India, and there were twenty vicariates: thus vicars apostolic of Calcutta, Madras, Bombay, and of other districts of India with large Catholic communities, were at the Council: the vicariate of Jaffna, Ceylon, counted 60,000 Catholics. The Scottish bishops and the Dutch were still but vicars apostolic; parts of North America were still ecclesiastically unorganized, so that Bishop Gibbons sat as vicar apostolic of North Carolina; similarly British Guiana and British Columbia were vicariates. And the bishops of the great mission fields of China, Japan, other parts of Asia and Africa were all vicars apostolic. But the greater number of the vicars apostolic were exercising true episcopal jurisdiction and functions over important Catholic communities. Moreover, nine of the bishops *i.p.i.* were

[3] Salmon's 300!

coadjutors or auxiliaries to diocesan bishops. This leaves just 36 merely titular bishops without any kind of jurisdiction—officials in the Curia or members of the papal diplomatic service, and a few retired bishops, like Dr. Errington. To sum up in round numbers: of the 750 present on January 6, 580 were diocesan bishops with full status as ordinaries; 60 were vicars apostolic exercising episcopal jurisdiction, often in large and important districts; 10 were co-adjutors; 36 were mere titulars; 64 were not bishops. An analysis of the roll-call at the Third Session, April 24, yields a similar result.

It thus appears how misleading is the suggestion that the Council was flooded with titulars and packed by the Pope for the purpose of carrying the infallibility.

(3) Akin to this was the complaint of 'the Pope's boarders', which looms so large in Quirinus and Salmon. The fact was that the Pope offered hospitality to bishops from missionary lands or from poor dioceses, maintaining them at his own cost. The insinuation made freely that this interfered with the liberty of those who received the Pope's hospitality, and that it was of the nature of a bribe or intimidation, seems unworthy of all credence. Quirinus says there were three hundred such 'Pope's pensioners', all safe votes, and that they were costing the Pope £1000 a day: Ullathorne gives the figure at £200 a day that the Council was costing the Pope, a more likely amount. Quirinus' words are: 'The main strength of the infallibilist legion consists of the 300 papal boarders who go through thick and thin in singing to the tune of their entertainer' (Jan. 30; p. 173).

(4) Another ground of complaint, especially in German circles antagonistic to the Council, and loudly voiced by Quirinus, was the small number of German bishops as compared with those of other countries, specially Italy. Salmon says fourteen—the real number was nineteen. This of course means the bishops of what became the German Empire, and did not include the Austrians and Hungarians. Italy had over 250 bishoprics—of course not all attended the Council. There is a tacit suggestion that this extraordinary pre-

ponderance of Italians was somehow manœuvred with a view to the Council. The idea is wholly false. The cause was historical and has its roots in the distant past. In Italy in the early Middle Ages every Roman municipal town, no matter how small, was a bishopric, so that the ecclesiastical map of Central Italy is a network of bishops' sees.[4] In the German lands, on the contrary, the dioceses tended often to follow the political divisions of the country: Rottenburg was the one diocese embracing all Württemberg, Freiburg all Baden. And the great Prince-bishoprics were of immense extent: the Archbishop of Cologne had more Catholic subjects than all the sixteen English and Scottish bishops together. Nor was Germany the only country under-represented: Belgium was in the like case, with only six sees, whereof Malines is as big as the great German dioceses. The enormous preponderance of Italian bishops had been a problem at earlier Councils: at Constance it gave rise to the plan of voting by nations, so that the small number of French or English bishops carried the same weight as the overwhelming number of Italians.

Though the under-representation of the German Catholics at the Vatican Council was made a great grievance at the time of the Council it does not appear that there has since then been any move in the direction of dividing the German dioceses and so making more bishops. The grievance was a real one, but it had nothing to say to the Council. The remedy would seem to lie in the hands of the German bishops. The Holy See shows itself not averse to the policy of dividing dioceses, on reason being shown. The thirteen English dioceses of 1870 are now eighteen. But in their postulata of things to be brought before the Council, the German bishops did ask for a sub-division of the great German dioceses.

(5) A curious proposal was put forward, that a bishop's vote should carry weight proportionate to the number of his flock, after the manner of voting at the Trades' Unions Congress; so that the Archbishop of Cologne could outvote all

[4] One of the articles of the recent Concordat provides for a diminution of the number of dioceses in Italy.

the sixty bishops of the Papal States as reduced in 1870. It was calculated that in this way the Minority could outvote the Majority at the Council, having in addition to the German and Austrian dioceses, such great dioceses as Milan and Paris. The fact may be doubted; but certainly such a method of voting was unknown to any ancient Council. The idea of 'representation' did not come in. It is notorious that at the first œcumenical Councils the Western Church was, it may be said, wholly unrepresented, except for the papal legates.

(6) Akin to this was Döllinger's contention that bishops were only mandatories of their dioceses, and had to give not their own mind but that of their flock. Of this unheard-of idea it suffices to say that it would have compelled many of the French Minority bishops to vote Ultramontane (cf. Ollivier, op. cit., II, 238).

(7) Quirinus and Salmon make great play with the 'eighteen empty red hats' that were being dangled before the eyes of wavering bishops as bribes. This grotesque idea is refuted by the fact that for three years after the Council there was no creation of cardinals. Then in the creation of 1873 was Regnier, Archbishop of Cambrai, a strong supporter of the definition, and the Archbishop of Valencia; but of the Opposition, Simor, Archbishop of Esztergom. Dechamps and Manning had to wait until 1875 for their Hats. In the first creation of Leo XIII, 1879, along with Pie of Poitiers were Haynald and Fürstenburg, prime leaders of the Opposition; and of those who, though not members of Council, had taken part in the controversy, Newman on one side and Hergenrother on the other. At later dates Leo raised to the purple Meignan and Foulon, both foremost inopportunists. And it is on record that but for the political objections of the Austrian Government, he would have done the same for Strossmayer. So little is it the case that the line of action taken at the Council influenced the bestowal of red hats.

It seemed well at this point to make it clear that Salmon's picture of the Council, the one best known in English circles, is a travesty of the facts. As has been said, it is wholly based on Quirinus. It may be that Quirinus repeats, but surely by

a loud-speaker, things said in moments of excitement and irritation by Minority bishops—feelings and party spirit ran high, and wild sayings were by no means confined to one side. Quirinus reflects the mentality of Friedrich and Döllinger, who were frankly working to wreck the Council by every means, and sought to represent the Minority bishops as being of the same mind as themselves. It will appear with a superabundance of evidence later on that such a representation of the mind even of the most determined bishops of the Minority is an entirely false picture. Certain grievances they had, and expressed very strongly in formal protests, concerning the regulations and manner of conducting the discussions of the Council, and the freedom of debate: this matter of the freedom of the Council will be dealt with more conveniently at a later stage (Chap. XXVI).

On some of these objections M. Ollivier, 'incroyant' though he was, seems to reach a higher and more religious level than some Catholic critics:[5]

> In a Council there are no Italians, or Frenchmen, or Germans; there are bishops, all equal, because their competence comes from the sacred character conferred by consecration. Why, in the judgement of a question of faith, should the bishop of a great city weigh more than the bishop of a small town? If detachment, heroism, the practice of apostolic virtues, give the spirit a greater aptitude for laying hold of truth, why should the vote of vicars apostolic, habituated to sacrifice and ready for martyrdom, carry less weight than that of the wealthy bishops of Austria and Hungary? Is it not unworthy to suppose that the apostolic liberty of such confessors of the Faith can be destroyed by the necessity in which their meritorious poverty places them of accepting from the Pope during their stay in Rome a roof and a bit of bread?

It may be said with much truth that the uneasiness felt by many bishops was due to reasons deeper than the questions

[5] Op. cit., II, 71.

of theology raised by the proposed defining of the Pope's infallibility : other things were haunting men's minds, motiving the attitude of those more or less in opposition. There was solicitude as to the maintenance of the position of bishops as Successors of the Apostles, holding their authority, once instituted in their dioceses, by divine right. As one bishop put it, there was a fear lest, having come to the Council as princes of the Church, they would go back to their dioceses satraps of a central autocrat.[6] Again, many, Ullathorne among them, felt alarm at the prospect of a vague indeterminate infallibility, capable of being extended almost indefinitely, as Ward was doing. Such fears are illustrated by a representation of some American bishops, that it would be impossible for them to persuade their Irish congregations to accept as infallible the act whereby Adrian IV handed over Ireland to English dominion.[7] The notion seems to us almost ludicrous ; but it does show the ideas in the minds even of bishops during the Council, as to the limits to which the infallibility might be stretched. Then the bishops of the democratic countries were afraid of the tendencies of the Syllabus of 1864, as foreboding a possible reassertion of the claims of the medieval and renaissance Popes over civil governments ; among the French bishops these politico-religious questions of Church and State were the cause of deep-seated anxieties ; abbé Gay, Pie's theologian, was probably right in saying that when these questions came on, there would be more acute controversy over them than over the infallibility. Lastly there was the jealousy, as old as St. Bernard,[8] at the ever growing tendency towards centralization and concentration of the government of the Church in Rome, and the feeling that bishops should have a freer hand and fuller authority in the ordinary government of their dioceses.

Such considerations go far to account for the mentality of the Minority bishops.

[6] So Bishop Goss of Liverpool.
[7] *Lac* 1375.
[8] *De Consideratione.*

CHAPTER XV

# THE CONSTITUTION ON CATHOLIC FAITH

It was on March 1, after seven weeks' work, that Martin of Paderborn laid before the deputation *de Fide* the result of his labours. He had divided the schema into two parts, the first dealing with fundamentals—God the Creator, revelation, faith, faith and reason, with a Proem prefixed; the second with particular doctrines of Christian belief. The revised schema is given in Mansi, v (53), 164; *Lac* 1628. The First Part was gradually hammered into the shape enacted in the 'dogmatic constitution on Catholic Faith'; the Second never came before the Council. In the First Part the first eleven chapters of the original schema were compressed into four and almost halved in length, but a long Proem was prefixed—Gay tells us that it was written by him. The deputation at once set to work discussing and emending the reformed draft with great thoroughness. The schedule of proposed amendments takes up thirteen columns of Mansi. At the first session, on the Proem alone, fifty-six amendments, great and small, many merely stylistic, were proposed by members of the deputation. At the next session Martin took up these amendments, accepted some, and persuaded the deputation to reject most. And so at the succeeding sessions the deputation worked through the four chapters of the constitution and the canons. In this way, after eight sessions, it was on March 11 passed for press and for presentation to the Council. On 14th the new text was circulated among the bishops, accompanied by a brief report on the part of the deputation, explaining how they had endeavoured to meet the general wish of the Fathers as manifested at the previous discussions.[1]

At the General Congregation of March 18 the discussion was opened by Archbishop Simor of Esztergom, Primate of

[1] Mansi, III (51), 31; *Lac* 69.

Hungary, who in the name of the deputation made a report on the revised schema ;[2] his speech was greatly appreciated on all hands, and is lauded by Ullathorne in a letter of 20th as ' a masterpiece of clear exposition and beautiful easy latinity '. Then commenced the discussion of the reformed scheme as a whole. This was finished in two sessions, seven speaking, the reception given to the new schema being on the whole favourable. No more desiring to speak, at that same session was commenced the debate on the Proem. And now, March 22, occurred the one real ' scene ' of the Council. Strossmayer was speaking (Mansi, III (51), 72) :

> The Proem ascribes to Protestantism all the errors of the day,—rationalism, pantheism, materialism, atheism ; but all these errors existed long before Protestantism. And there are among Protestants many grave men who are a great help to Catholics in opposing these errors, as in former times Leibnitz, in our day Guizot, whose refutation of Renan I would like to be in the hands of all (murmurs). I believe that there is in the midst of Protestantism a great crowd of men in Germany, England, and America, who love our Lord Jesus Christ and deserve to have applied to them those words of Augustine, ' They err indeed, but they err in good faith (murmurs) : they are heretics, heretics ; but no one holds them for heretics.'
>
> The President, Cardinal de Angelis: I pray you, Rt. Rev. Father, to refrain from words that cause scandal to some Fathers.' Strossmayer went on in the same sense with words not caught by the stenographers ; but he was cut short by Cardinal Capalti, one of the Presidents, who said it was not a question of Protestants but of Protestantism, not of the persons but of the heresy ; modern errors do arise from the principle of Protestantism, private judgement ; therefore it is not against charity to say that these monsters of error are derived from Protestantism.
>
> Strossmayer : I thank your Eminence for this instruction ; but your argument does not convince me that all

[2] Mansi, l.c., 42 ; *Lac* 80.

these errors are to be attributed to Protestants. I believe that there exists in Protestantism not merely one or two, but a crowd of men who still love Jesus Christ (murmurs).

Cardinal Capalti: I beg that you stick to what the schema says. There is no mention in it of Protestants, but only of the sects condemned at Trent. Therefore it seems to me there is no offence given to Protestants. And so I beg you to desist from such speech, which I must frankly say offends the ears of very many bishops.

Strossmayer: I finish. But I know that there are many living amidst Protestants, who with all their heart desire that there be not anything put into the schema that may be a check to divine grace working among them.

Capalti: It seems to me, I must say, that your animadversions have no foundation in the schema, that could make Protestants put forward their hatred of the Catholic Church.

Strossmayer: I finish; but against one observation of your Eminence I must say just one word . . .

Capalti tried to speak, but immediately, Fathers on all sides murmuring, Strossmayer said: I attribute this to the deplorable conditions of this Council (an uproar of indignation made it almost impossible to hear what he said). He went on: I make another observation, short, very short, but which I hold touches the essence of things, and so moves my conscience that I can by no means keep silence. In the recent Regulation it is laid down that questions are to be settled by a majority of votes. Against this some bishops have put in a statement, asking if the ancient rule of moral unanimity . . .

The speaker's words were made inaudible by the renewed and increased murmur of general indignation.

Capalti: This does not belong to the present discussion. Vehement applause: the speaker tried to go on: most of the Fathers shouted him down; they almost raged (obstrepunt, vix non fremunt); many called on him to come down.

Strossmayer: Your Eminence certainly should pardon me. I respect the rights of the Presidents. I certainly, if

that former eternal and immutable rule of a morally unanimous consent . . .

The speaker's voice was drowned in the uproar of indignation. He said: I protest against every interruption, I . . .

Fathers rising called out: We protest against you.

Strossmayer: I protest against any interruption.

The First President rang his bell again and again.

The Fathers generally: We wish him to come down; let him come down.

Strossmayer: I protest against . . . and he began to come down. The indignant Fathers left their seats, all murmuring different things. Some said, 'These people don't want the infallibility of the Pope; is this man infallible himself!'

Others: 'He is Lucifer, anathema, anathema!' Others: 'He is another Luther, let him be cast out!' And all cried out: 'Come down, come down.' But he kept on saying: 'I protest, I protest', and came down.

This certainly was 'a scene', the like of which occurs from time to time in all parliaments, even the House of Commons—no doubt peculiarly regrettable in a General Council. However, it was the single real scene of the Vatican Council, no such thing happening again, even at times of severest strain.

When it is looked into, the Presidents may, I think, be absolved from blame. Strossmayer was clearly out of order in bringing in the matter of 'moral unanimity': it seems that, no answer having been given to the remonstrance of the Minority bishops nearly a month before, he was determined to bring the thing forward publicly. Capalti's interventions seem in proper form; there is no sign of loss of temper or undue heat in his words. The fault seems to lie with the bishops, of whom, as Granderath acknowledges, greater calm and dignity might have been expected. It is doubtful how many took part in the disturbance; the report seems to imply nearly all; but even Quirinus says it is doubtful that more than two hundred took part, and that the greater number dis-

approved (p. 388). As Granderath says, bishops living in Protestant countries would be able to understand and sympathize with Strossmayer's words; but those of the Catholic countries looked on Protestants in the same light as old-fashioned 'black' Protestants of Ulster looked on Catholics.

The next day the Council met in chastened mood; and when Meignan of Chalons in clear but calm words pressed Strossmayer's plea that the Proem should not seem to say that pantheism, materialism, and the other errors of the day are derived from Protestantism; or that Protestantism leads by a necessary connexion to atheism, he was listened to without interruption or sign of disapproval. The debate on the Proem ended that day, the President saying that the amendments would be printed and circulated at the next Congregation. This was done the following day, 24th.[3] Meantime a revision of the Proem was in hand for the deputation. At its meeting on 25th, Bilio said that most of the amendments, being stylistic, or not touching the substance, could be dealt with in the revision without being put to the vote; only in regard to two or three was it necessary to take a formal vote. At the General Congregation on 26th Simor again spoke in behalf of the deputation:[4] the Proem was undergoing revision, account being had of all the observations made upon it; only three amendments touched the substance so as to call for a vote. Of these the most important was, that to the words 'episcopis nobiscum sedentibus et iudicantibus' should be added 'et definientibus', this being an assertion of the position of the bishops at the Council. Simor pointed out that the clause was founded on the text, 'ye shall sit on twelve thrones judging the twelve tribes of Israel'; the word 'judging' was to be taken in its fullest sense, as including 'defining', and the Acts of the Council were fully the act of the whole episcopate. Moreover, 'those of us who are alive at the end of the Council will subscribe the Acts "Ego definiens subscripsi"';—little did he think that not one would be alive to subscribe the Acts at the close of the Coun-

[3] Mansi, III (51), 123; *Lac* 88.
[4] Mansi, l.c., 127; *Lac* 91.

cil, for it has not yet been done !—and so he concluded: 'Absolutely nothing is taken from the rights of the bishops' ('Bene ! bravo ! '). It is to be noted that before this date Simor was acting with the Minority. This amendment, as well as the two others singled out for a formal vote, had been made by Whelan of Wheeling, U.S.A.; he now declared himself satisfied and withdrew them, so that no amendment had to be voted on; and the President said the Proem would be brought forward as soon as the deputation had finished the revision. This it did next day, 27th, when the revised text was 'read, examined, discussed, corrected, finally approved' and sent to the printer. On 28th it was distributed among the Fathers; and at the General Congregation on 29th the Proem was accepted unanimously by the 620 Fathers present.

It is of great interest to compare the two forms of the Proem, that proposed by the deputation *de Fide* on March 18 and that passed on 29th,[5] the latter being identical, but for a couple of stylistic improvements, with the form enacted at the Public Session of April 24. The first thing that springs to the eye is that Strossmayer's protest had borne fruit: the passage definitely attributing to Protestantism the rejection of Christ and consequent widespread pantheism, materialism and atheism, has been cut out; moreover the general style has been greatly toned down, a number of needlessly offensive expressions being removed: as *impio ausu, opinionum monstra, impiissima doctrina, mysterium iniquitatis, impia pestis*: the only such expression remaining being *pantheismi, materialismi et atheismi barathrum*. It is curious that all these changes were but a return to the text originally presented to the deputation by Martin; how the offending words came in does not appear, for they are not among the amendments proposed at the deputation on March 1 and 2, and there is no notice of further amendments having been proposed. There can be no question that not only in calmness and dignity of tone, but also in point of latinity, the Proem was vastly improved by the criticism and discussion to which it had been subjected.

Meantime the discussion on the four chapters and the

[5] Mansi, III (51), 31 and 178; *Lac* 69 and 96.

canons of the scheme was going on. These being concerned with such fundamental beliefs as God and creation, revelation, faith, faith and reason, gave rise to discussions on points of speculative theology, wherein certainly the highly trained theological mind and the keen intellectual force of many of the bishops came conspicuously into play. Not only had systems openly antagonistic to Christian belief, such as pantheism and materialism, to be condemned, but also certain theories that had been broached in recent times in Catholic circles had to be ruled out. The most prominent of these was the system known as 'Traditionalism', associated with de Lammenais, which held that the human reason is unable of itself to attain to a knowledge of God, but depends on a primitive revelation to our First Parents, handed on to mankind throughout the ages. What was called 'mitigated traditionalism' found a number of supporters among the French and Belgian bishops, and gave rise to keen debates of a high order: thus one speech took the case of Aristotle and showed that by the working of pure reason he had attained to the idea of God. The Council finally declared that 'the one true God, the Creator, can be known certainly by the natural light of the human reason', thus asserting the rights of the human intellect and the validity of its operations.

The course of the four chapters of the Constitution was the same as that of the Proem. The text of each of them as proposed by the deputation *de Fide* was in turn debated at Congregations from March 22 till April 6; the amendments to each chapter were scheduled and printed—to chapter I were 47, to II were 62, to III were 122, to IV were 50; they were commented on individually at successive Congregations by selected members of the deputation; then they were put to the vote one by one; finally the revised text of each chapter was passed as amended. There were in all fifteen General Congregations, at which just one hundred speeches were delivered. Then took place on April 12 what may be called the trial voting, at which the text of the Constitution as a whole was voted on in the shape in which its five parts had severally been passed. This time the vote was not taken by standing and

sitting, but each one recorded his vote aloud when called upon by name. The result was that 510 voted 'placet' and 85 'placet iuxta modum', i.e. with a reservation; this was like voting for the second reading of a bill with the intention of moving an amendment at the committee stage. There were no 'non placets'. Each one who voted 'placet iuxta modum' had to submit in writing the amendments he desired, along with the reasons for them; these when scheduled in order, line by line of the text, mounted up to 148, and make quite interesting reading for any theologian. One of the reservations complained of the latinity: The style is harsh, not good Latin, redolent of Germanism, and should be corrected, so that the decrees may commend themselves even by an irreprehensible form of language: and an improved form for the opening of the Proem is suggested, which however was not adopted. Some of the bishops had a craze for rewriting the text; that the Spanish bishop of Urgel rewrote it may be said literally, every chapter, decree, canon, that came before the Council. All the amendments were again considered by the deputation: a large number were in effect a call to reconsider points already voted on at General Congregations; these the deputation ruled out, as also points merely stylistic. So on April 19 the spokesman of the deputation—as we should say, the minister in charge of the bill—made a long relation at the Congregation on all the amendments, the upshot of which was that the deputation recommended the accepting of two and the rejecting of the rest. The two were put to the vote and carried almost unanimously; but in regard to the rest, no opportunity of challenging or even discussing the verdict of the deputation was given: of course, the majority of 'placets' at the voting of April 12 had been overwhelming. On 20th the deputation put a few final touches to the text.[6]

One of the two amendments admitted at the eleventh hour was due to Ullathorne. We shall hear him speak of it in his

[6] The whole material of the debates and discussions on the Constitution on Catholic Faith are in Mansi, III (51), 31-426, and V (53), 159-225; *Lac* 69-246, and 1647-77. Granderath summarizes the outstanding features of it all. It will be found of no small theological and philosophical interest.

letters, but a record of the facts will be of interest as a sample of the procedure of the Council in a particular case. The first chapter of the Constitution as proposed by the deputation opened with the words : ' Sancta Romana Catholica Ecclesia.' When this chapter came under debate on March 24 Ullathorne moved

> that the word ' Romana ' be placed after ' Catholica ', that we may not seem to encourage in any way the tendencies of those who wish to qualify the word ' Catholic ' by the word ' Roman '. English Protestants wish to appropriate the name of Catholic, which occurs in the Apostle's Creed, and to dispute our exclusive right to it. They pretend that the Catholic Church is divided into three parts : the Romano-Catholic community, the Anglo-Catholic community, and the Graeco-Catholic community. Officials and Government work persistently to familiarize men's minds with this idea. In the new laws, in the debates in parliament, in public speeches, in the press, and in private conversation, they give to us, and our Church, the name ' Roman Catholic '. They cannot bear that we call ourselves simply ' Catholics ', and that we call ourselves not a part of the Church, but the entire Church. They demand that we call ourselves Roman Catholic bishops, so that the name ' Catholic bishops ' may be used also by the Anglican bishops. A society was formed some time ago to propagate the doctrine of a Church divided into three Branches. If now the Vatican Council names the Church, not ' Catholic and Roman ', but ' Roman Catholic ', the Puseyites will draw thence an argument in favour of their theory of the three Branches, and the Government will spread it abroad that, overcome by the truth, we finally recognize our Church as only a part of the true Church.

His amendment was : that instead of ' Roman Catholic Church ' be read ' Catholic and Roman Church ' ; or that, at least, a comma be placed between ' Roman ' and ' Catholic '.

Clifford followed in support, advocating a return to the

simple form of the Apostles' Creed, 'The holy Catholic Church'.

The deputation *de Fide* on March 27 rejected these suggestions unanimously; and their spokesman at the General Congregation of 29th expounded the reasons why the deputation adhered to the form: 'Sancta Romana Catholica Ecclesia'; he said, however, they were prepared to accept the comma between 'Romana' and 'Catholica'. Clifford's amendment was thrown out by a large majority, and so was Ullathorne's suggested transposition of the two words. But on the question of the comma, the voting by standing up was so uncertain, that the scrutators were preparing to take a formal count; until several Fathers declared they did not well understand the significance of the comma, and asked the Presidents to postpone the voting till the next day. On the next day the spokesman made a special relation on the comma all by itself, saying that having maturely considered the question in sight of God, and having consulted a number of Fathers, he had come to the conclusion that the reasons alleged by the English bishops were invalid,—their point would be dealt with in the schema on the Church;—and consequently he recommended the Fathers to delete the comma; which they did.

When, however, the schema came up again on April 12 to be voted on as a whole, no fewer than thirty-five of the 148 amendments of those who voted 'placet iuxta modum' were, one way or another, backing Ullathorne. The spokesman of the deputation *de Fide* said that one or two of its members had objected to any change being made, but that the great majority thought the representations of the English and American bishops should be met, and the formula 'Holy Catholic Apostolic Roman Church' adopted by the Fathers. When put to the vote the amendment was carried almost unanimously; and so the first words of the actual dogmatic decrees of the Vatican Council are due to Ullathorne's intervention; it is of interest to note that a small number of bishops were, on occasion, able to make their view prevail over that of the deputation.

The Minority bishops, especially the leaders, were most desirous that the Constitution on Catholic Faith might be passed without dissentient voice at the Public Session. But another dissatisfaction loomed big among the 'iuxta modum' reservations ; thirty-eight objections were lodged against the two concluding paragraphs that follow the canons. The first calls on all the Faithful, especially pastors, to guard the Church from the errors here condemned : the second lays down that not only must heretical pravity be shunned, but also errors which more or less approach to it ; therefore the duty is inculcated of keeping (servandi) those decrees of the Holy See by which such evil opinions are proscribed and prohibited. These paragraphs originally stood at the end of the entire Constitution on Catholic Faith ; but when the Constitution was divided into two parts, and only the first part was brought before the Council, they were transferred to the end of this part following the canons, and so stood in the revised schema distributed March 14. They seem to have attracted little attention : at the discussions only one bishop, a Piedmontese, questioned the desirability of their being in this place ; it would seem, he urged, that there would be a like reason for repeating them at the end of each Constitution enacted. This seems to have impressed the deputation, and on April 8 the spokesman, Pie of Poitiers, announced that the deputation had come to the view that this conclusion had better be restored to its original place at the end of the complete Constitution ; this was agreed to almost unanimously. The next day, however, the deputation changed its mind, and a notice was issued that the question of this conclusion would be put to the vote again at the ensuing Congregation. The going back on a point already settled by a vote called forth a protest from nine prominent Minority bishops. But on April 12 Pie explained that, the text of the Constitution having got into the public press, postponing the conclusion would be taken as retracting it, and thereby would give countenance to the error that only formally defined truths have to be accepted. On his recommendation the Fathers acquiesced in the retention of the conclusion. When the fourth chapter was put to the vote as a

whole, along with its canons and the conclusion, only one or two stood up to vote against it.

There then followed the trial voting by 'placet', etc., on the entire Constitution. As has been recorded, there were no 'non placets'; but in the 'iuxta modum' reservations now no fewer than thirty-eight Minority bishops objected to the conclusion. The objection seems to have been mainly against the procedure whereby it had been reintroduced: so for instance Clifford, 'the procedure was irregular'. But the matter raised a good deal of excited feeling in the Minority, and on April 18 forty-four bishops sent a memorial to the Presidents, representing their strong desire that the Constitution should be passed unanimously at the coming Public Session, but expressing their fear that this would not be if the conclusion were retained, and if the opening words 'Romana Catholica Ecclesia' were not altered. The letter was signed by Schwarzenberg, Rauscher, the Archbishops of Munich and Cologne, of Paris and Rheims, and a number of French, German, and Hungarian bishops; of English-speaking bishops were Kenrick of St. Louis, Domenec of Pittsburg, Fitzgerald of Little Rock, and Errington and Clifford.

At the Congregation the next day, April 19, Gasser of Brixen as spokesman of the deputation, in dealing with the reservations, announced that the deputation adopted and recommended the form 'Sancta Catholica Apostolica Romana Ecclesia'; but in regard to the conclusion he said the deputation considered it most necessary to guard against the idea that opinions not explicitly condemned in the canons were thereby left open for free discussion in the schools; but he pointed out that the theological question as to the dogmatic force of decrees of the Holy See was not touched in any way by the words of the conclusion. So the matter was not put to the vote again.

The Minority bishops had now to decide what line they would follow. None of them had any objection to the substance of the Constitution or of the canons, which was all fundamental Catholic belief; any hesitations were about subsidiary points, e.g. the desirability of promulgating so many

canons with anathema. Schwarzenberg and Rauscher now exercised their influence to the utmost to secure a unanimous 'placet', and Clifford is specially mentioned as active in the endeavour to bring about this result.[7] The outcome of it was that Strossmayer absented himself from the Public Session, but all the other leaders of the Minority gave their 'placet'.

And so, when the Public Session of Low Sunday, April 24, was held, the 667 Fathers present gave a unanimous 'placet' to the Constitution, thus with immense labour and discussion brought into its final shape. Ullathorne's letter describing the scene will be given in its place (p. 261). When the voting, which took an hour and a half was over, Fessler, the Secretary, ascended the pontifical throne and announced the result to the Pope: 'Most Holy Father, the decrees and canons have pleased all the Fathers without exception.' Then the Pope arose: 'The decrees and canons just read have pleased all the Fathers without dissentient, and We, with the approval of the Sacred Council, define them as read, and confirm them by apostolic authority.' He then made a fervent allocution:

> You see, beloved brethren, what a good and pleasant thing it is to walk in agreement in the house of God. So walk always. And as our Lord Jesus Christ to-day gave His peace to His Apostles, so I, His unworthy Vicar, in His name give you peace. Peace, as you know, drives out fear. Peace, as you know, shuts the ears to words without knowledge. Ah! may this peace accompany you all the days of your life; may this peace be your consolation in life; may this peace be your refuge in death; and may it be your everlasting joy in heaven.

He intoned the 'Te Deum', gave his solemn blessing, and with the publication of the indulgence the Third Public Session ended.[8]

[7] Granderath, II, Bk. ii, c. 12, p. 472.
[8] Acts of Third Session, Mansi, III (51), 427; *Lac* 247.

CHAPTER XVI

# DR. ULLATHORNE'S LETTERS, MARCH AND APRIL

It has seemed best to give together in sequence Dr. Ullathorne's letters of March and April, up to the Third Session, April 24, so as not to break the course of the narrative of events at the Council. But for the understanding of some allusions of the letters a simple framework of facts and dates must be supplied.

The second dogmatic schema, 'de Ecclesia Christi', had been distributed to the bishops on January 21. It was a lengthy document of fifteen chapters and twenty-one canons, followed by still more lengthy annotations: this schema will have to be dealt with in the next chapter. Under the regulations promulgated on February 22, the Fathers were given ten days to write such comments as they wished on the first ten chapters, the portion concerned with the theology of the Church, up to, but excluding, the chapter on the Papacy. The comments, which were voluminous, had to be lodged with the deputation *de Fide* by March 4. On March 6 the announcement was made that the question of the Pope's infallibility would be brought on, and the formula prepared by the theologians in case it should be needed was distributed, and the bishops had until 25th to write their animadversions and lodge them with the deputation *de Fide*.

The letters may now speak for themselves.

March 1. Our new Rules for managing the Council were in the papers, so you will see them. As we have had ten days to write on the first part of the schema 'de Ecclesia', to help the special deputation to reform it before it comes on for discussion, we have had a great time. I believe we meet again in General Congregation next Tuesday, when

we shall probably have *the question* brought on to write upon. But the schema, or rather addition to schema which contains the proposition, already we know prepared, is not yet put into our hands. We soon expect to have the first schema *de Fide* returned to us from the special deputation *de Fide*, recast in form and reformed in language; and then will come the last discussion upon it. I hear the Pope calculates on a Session to promulgate decrees on the 25th inst. But I doubt if we shall have very much ready. We of the deputation of discipline are still waiting for printed matter from the discussions. I know that the first schema *de Fide* has been very much changed in consequence of the discussions. The second schema *de Fide* has already been printed three times before the bishops have touched it, and will be again before it is discussed, upon the written suggestions sent in to the special deputation. General Councils are tedious things, except for the ever varying incidents that are occurring in what I may call the policy of its management.

March 6. My last news is, that all things are marching on the path of moderation, and the zealots are being tamed down, as much as they may, to prudence. The definition is being moderated so that it may have nothing in it that is new or startling even in form.

The Pope has had more than one cry over his troubles, although he bears himself bravely in public. Amongst other things, the conflicts in the Catholic papers and the imprudent letters of some bishops have given him distress. Then political affairs are anything but reassuring. A protracted Council can scarcely be thought of. And one hears that the Revolution has laid its plans throughout Europe. Then the position of things in France is critical. In short the Pope is in his hour of trial. Still, one trusts that God will come in to his help. It cannot be pleasant that strong protests have gone in on the part of a considerable body of bishops against some of the new rules. I think they will work well, and that they ought to have had a fair trial, and perhaps will have still.

March 8. The Pope paid us a visit yesterday, chiefly to visit Dr. Grant, who, though now free of fever, is still very weak, and takes nothing but a little broth, and a sip of brandy and water. We had only five minutes' notice, and only three bishops were at home. We received him at the door, and he lingered along the corridors of the first and second story, chatting and making himself agreeable. There are fourteen portraits of British cardinals in the corridor on second story, from Wolsey to Cullen, and he stopped before them, and asked about those he did not know, telling himself of Pole, how he converted Frammingo (*sic*) from Socinianism; and of the Cardinal Duke of York, how he went a voyage, I think to Malta, but being sick midway took the royal resolution to leave the ship directly, a proof that he was more an Italian than an Englishman. Of course we laughed at the Stuart's expense, which was only courteous to the Pope. Seeing Cardinal Howard in a black mozetta, he asked me if he was a Benedictine, which was more complimentary to me than to the Dominican cardinal, about whom he evidently knew but little. However I told him that he was not only a Dominican, but had built this College at his own cost. Before the last of the series he exclaimed, 'Povero Wolsey'.

Throwing off his red cloak, his Holiness entered the room of the sick bishop and stayed some twelve minutes, and we waited outside. Bishop Grant said he was very kind. He then returned, lingering and stopping to chat. He talked of 'povero Giorgio', meaning Talbot.

March 15. We have just received the first schema *de Fide*, as recast by the special deputation, and the new discussion on it begins on the 18th inst. The papers prepared from the discussions for the deputation on discipline are also just ready. Cardinal Capalti tells me they are voluminous, and so our special deputation will now have close and hard work. The deputation *de Fide* has been working daily, Sunday included. Henceforth work will be continuous. Dr. Northcote is writing out our joint Latin translation of

my 'Votum de Summo Pontifice', which goes in to-morrow, the last of the ten days allowed for writing on the great question. [Dr. Northcote had joined the Bishop in Rome as his theologian.]

March 20. We had a General Congregation on Thursday for discussing the reformed schema on Catholic Faith. The Congregation showed that we are not yet sufficiently protected from talkers who give no light, although the exposition of what had been done for the schema by the special deputation, revising it in the light of the previous discussion, by the Primate of Hungary [Simor], was a masterpiece of clear exposition and beautiful easy latinity. We broke up an hour earlier than usual, as on the Fridays in Lent the Pope comes down to St. Peter's to pray. We waited, with a crowd of strangers, for half an hour in St. Peter's, and then the Pope came down. He went and kissed the foot of St. Peter, and prayed with his head against it, and then went to the priedieu prepared for him, in front of the Confession of St. Peter, as it is called. The relics had been placed on the High Altar. After praying a quarter of an hour, the cardinals kneeling behind him, and the bishops all down the two sides of the nave, and the crowd behind them, some kneeling, some standing and staring, amongst whom many of our countrymen and women, the Pope arose and departed. Then there was a general melting away.

We shall have another General Congregation on Tuesday. Our deputation of discipline met for real work yesterday, and in three hours got through a good deal of work. The Pope wishes to have a Session to promulgate the first Chapters of Decrees on Faith and on Discipline as soon as they are ready, and it is to be hoped that in a few weeks that will be done.

A cardinal called on me yesterday, who kindly gave me a survey of the existing state of diplomatic relations with respect to the Council. They are considered to be in a better condition than externally they look. The French

Ambassador is gone to Paris, well informed, and in satisfactory disposition, to explain to the Emperor. Prussia is moderate. The Austrian minister von Beust is troublesome, but will not prevail. Some of the Munich professors, who have been already censured for unsound doctrine, are likely to give trouble, and these are active. Here the chief concern of the Roman Court is the energetic opposition of the Bishop of Orleans.

I am still satisfied with the prospect of affairs in the Council. If there is positive fanaticism on the part of some leaders on one side, the resolute opposition on the other will bring things to their proper temper and moderation. All that belongs to parties gets cleared away by the time anything is reprinted for the second discussion. The Council will do much for the Church, and a good deal of what with time has become useless lumber will be cleared out of the canons. But the Council will not print its work this year. And if we disperse, there will never be as many bishops united together again for a second year.

I sometimes think it may end this way, the decrees of faith and a part of those on discipline be got through, and the bishops be called upon to write on the next from their sees, and the Pope publish the remainder of the decrees of discipline. For a break-up, and a recall, would, I feel convinced, exhibit a much smaller Council.

A good many bishops are getting leave to depart now, on one ground or another. And it would be a serious thing for the bishops to be absent from their sees when the decrees of the first year had got out into the world.

On March 13 died Montalembert. The two sections which Ollivier, an intimate friend, consecrates to him are a worthy tribute.[1] It is pleasing to know that the *Univers*, forgetting past animosities, appeared in mourning the next day, and said: 'M. de Montalembert has been, of all the laymen of our time, the one who has given to the Church the greatest and most devoted services.' In his last days he threw himself with

[1] *L'Église et l'État au Concile du Vatican*, I, 449-58; II, 172-5.

vehemence into the party of opposition to the infallibility. A friend asked him what he would do, supposing it were defined by the Council united with the Pope? He said calmly, 'Eh bien, tout simplement je croirai.' In the following letter Ullathorne refers to a matter that gave rise to much comment:

> March 21. There has been a great sensation here about a Requiem Mass for Montalembert. Being a Roman Patrician, he was entitled to a Requiem at the Capitol in the Ara Caeli, attended by the Senate and Patricians. An anonymous circular was sent round exhorting people to attend. It was shown to the Pope, and fearing a demonstration—for you know poor Montalembert published a very strong letter against the definition, and about 'making an idol in the Vatican', a little before he died[2]—the Pope prohibited it. And although, alarmed at the sensation the prohibition would make, Cardinal Antonelli, the Governor of Rome and head of the police, entreated the Pope to yield, he stood firm. But the next moment the Pope went out to a church where a Mass was said for Montalembert, and assisted at it. The whole affair caused great excitement. The Bishop of Orleans was also refused leave to preach his panegyric.[3]

> March 24. The last three days in the council have been given to most thorough work, at the rate of some ten speeches a day. As it has been the last revising of the schema on Catholic Faith after its reconstruction by the deputation *de Fide* subsequent to its first discussion, everyone has felt the importance of weighing not only every sentence but every word. This has been done with great learning, ability, and conscientiousness, and with a solid method, devoid of rhetoric. The work has shown how much philosophical and theological learning the Church possesses in the episcopate, and I doubt if any previous

[2] Letter of Feb. 28: *Lac* 1385; Ollivier, II, 63.
[3] This seems to be inaccurate; there was no question of a sermon by Dupanloup.

Council has exhibited as much. The three days have been a great treat. But you will get some notion of the result when I tell you that the mere list of printed amendments proposed upon about six pages of matter fill more than twice that number of pages, and everyone of them will have to be put to the votes of the Council one after another; and yet this is only with reference to the Proem and first chapter of the first schema, and is the result of discussions upon a document already reformed throughout upon a long previous discussion.

You may be interested to know that I made, or rather read, my first speech to-day in the General Congregation. It was in advocacy of an amendment about which the English bishops were anxious and which no one else seemed likely to take up; and being both delicate and difficult to be understood by the bishops who had never lived in a Protestant country like ours, I felt it required some tact to secure an attentive hearing until the sense of a question altogether new to the majority was fairly brought out. Thank God I was heard with perfect silence and attention, all parties saw the importance of the point, and bishops of all parties and nations congratulated me on the success of the exposition. But the whole speech only filled a sheet of note-paper.

March 25. I had made all arrangements for going to the Minerva, where the Pope assists at High Mass with the cardinals and the bishops on this holiday of obligation in Rome [Lady Day, the feast of the Annunciation B.V.M.], and where he blesses the Golden Rose; when I remembered that a whole volume of amendments had to be studied upon the first schema, for voting in the Congregation to-morrow morning; so while Dr. Northcote is making his preliminary notes on them as theologian, I continue this letter. All the bishops here are at similar work, and I suspect the Pope will have but few of them to attend at the Mass. I have not yet been again at the Exhibition, the mornings being so occupied between General Congrega-

tions, special deputations, and the studies for them.

The reporting for the Council is a curious process, as every word whether spoken or read is taken down. There are twelve young men picked from the different colleges who have been trained, and who have their working room behind the Council partition. You see two of them at work on a movable table where they stand, each has a narrow long sheet of paper. One writes one half of a line, speaks the finishing word of his half line, which the other takes up, and finishing his half line speaks the final word, which the first takes up; this continues for four minutes and a half, when two other reporters arrive, who take up the last word being written by their predecessors, and write on for another four and a half minutes, when they give place to another pair of stenographers, and so on to the end of the session. When each two retire with what they have written, they put the two pages of half lines together, and it takes them 40 minutes to reduce to ordinary writing what they had obtained in four and a half minutes. The bishops bear testimony to the accuracy of their work. Two of the shorthand writers are from our college,[4] and we take them daily to their work in our carriage, but they are generally at work until two hours after we return. Whilst this is going on at one end of the aula, close to the Presidents, the secretaries and their assistants are at work at the other. They chronicle the history of the Council, examine letters sent in, and draw up documents for the Presidents, and watch over the general management of the Council. The Chief Secretary is Bishop Fessler, an Austrian Bishop, chosen not only for his capacity, but for his enduring power of working sixteen hours a day constantly; an amiable man who is generally popular. The under secretary is a Roman prelate, Mgr. Jacobini, Secretary of the Oriental Propaganda, whose duty it also is to read from the ambo all notices, documents, and lists of bishops going to speak, that they

[4] One was Samuel Allen, afterwards Bishop of Shrewsbury. The stenographers had been specially practised in the various pronunciations of Latin, the French, Spanish, etc.

may be heard by all, after being given out officially by the chief President, Cardinal de Angelis, who is a tall and venerable old man with white locks, and one who has suffered imprisonment at the hands of the Italian Government for his staunch adhesion to canonical principles. Whilst all this is going on, the 'assignatori di posti' in their violet robes are going from bench to bench, taking down the names of all the bishops and others present by right in the Council, which is done every day: first, to record the names of all present on that day; secondly to secure that there is no intruder. But as they know everybody, they have not to enquire. Another precaution against intrusion is this. Within the entrance door stand half a dozen 'bussolanti', marking the bishops by sight as they come in. Thus, even in this vast assembly, it is impossible for a stranger to get amongst them. If a new bishop arrives, he is presented either to one of the Presidents or to the Secretary, and has to go through the process of having his place assigned him. And then there is his number conspicuous in large figures at the back of his seat. The President's bell, a beautiful piece of workmanship, made by two priests, brothers, expressly for the use of the Council, is the instrument that calls general attention whether for an announcement, or, as sometimes happens, I will put it delicately, when a bishop who is speaking gets distracted from the point.

According to the new rules, when a schema has undergone reconstruction in the special deputation in consequence of a first discussion, at the discussion again of the reformed schema any member of that special deputation can rise, after leave given, and reply to any speaker in defence of the text proposed. This was done yesterday with great applause, when one of the special deputation *de Fide* arose to correct the views taken by one of the most able speakers of the assembly. But there was one truly grand and awful scene yesterday, when in reply to some previous speakers who had argued on philosophical, theological, and prudential principles, against the anathematizing of certain fals

philosophical schools, an Italian Bishop [Gastaldi, Bishop of Saluzzo, Piedmont], long a priest in the Birmingham diocese, arose and ascended to the height of his argument with a scientific force and a vehemence of eloquence which caused the great majority of the Council to thunder out in one voice together the words 'Anathema, Anathema'. It was just after the speaker had capped the climax of his reasoning by exclaiming that we were bound to take into our hands the vindication of God, and to bear our testimony to His judgements.

During the last three Congregations one's soul has been literally bathed in theological light. And, as a rule, the listening assembly has been very silently conscious that it was giving the last touches to decrees of Faith that could never again be changed, and that were to stand, and to which the Church must stand, all days, even to the end of the world.

Still there is the usual rising and going out, after each speaker comes down from the ambo, beginning about an hour and a half after the opening of discussion, and so there are commonly knots of bishops in the adjoining chapels, used as lobbies, and each as big as a large church, some discussing, others saying Office, others stretching their legs by a walk. After about four hours, as the speakers cease, those who have long sat begin to get restless, and some rise, hoping the President will take the hint. This he sometimes seems to do, and closes the assembly by announcing that the hour is late, and that the next Congregation will be on such a day. But if he announces another Right Rev. speaker from the ambo, down they drop in patient resignation on their seats, and a general smile goes round those 700 faces. But the final words of dismissal are not out of the mouth of the President before the streaming away begins, the great mass of purple robes, variegated by the regulars and the red robes of the cardinals, presses on to the three doors of exit, in one close mass, the youngest, who are in the lowest benches, having the advantage of the venerable seniors; and out pours the living flood, bowing, smiling, exchanging re-

marks to each other, pouring between the yellow red and black striped neck-frilled Swiss Guards, who keep the way open with their erect figures and shining long-poled battle-axes of the middle ages. Down the avenue the Fathers stream, some stopping to kiss the foot of St. Peter, all stopping to kneel and say a prayer before the Blessed Sacrament, passing the line of curious spectators from the Council doors to the holy water vase.

April 1. We finished the discussion of the part of the schema for the coming session this morning, but there will be two days yet for voting on as many chapters. On Sunday *our* deputation meets, to settle the final form on the decree about the Catechism. What it is I must not say.

I am stopping in this afternoon in company with a fire and a cold. We have had no warm weather yet, and there is still snow on the mountains.

The Congregation 'pro postulatis' have had many sittings, but they say there is so much to do that they see not how many new propositions can be introduced. The deputation *de Fide* meets every evening, when at work in the General Congregation in the morning, and sits about three hours, up to 9 p.m. Whether it is the climate, or what, I do not know, but everyone gets tired and feels exhausted for the day after the four hours' session in the morning.

April 4. We are working hard in Council, but shall not be ready for Session before Easter. The work in its last stage is wonderfully different from the first schema. It is like the ox brought down to a few pounds of solid and compact meat.

We are all pleased with the result of this morning's work in the Council. The deputation *de Fide* has so met the sense of the bishops in their amendments, that they have got almost every vote on each point to be voted on. Points on which there was great anxiety have been modified so as to produce universal content. In Easter week we shall have a Session, and pass the first Decrees.

April 13. In General Congregation to-day we voted the first chapters by 'placet'. It took exactly two hours. Each bishop's name was given in turn from the ambo, and he rose as his name was uttered, and said 'placet', or 'placet ad modum', in the latter case putting in a paper containing his objection and its reason. Now for 'womanly curiosity'! My 'ad modum' had a following, and it was pronounced last night that it will be reconsidered in special deputation this evening. There was no other of any importance. The crowd in the nave must have been puzzled with hearing in the distance the incessant call of 'placet' like guns going off in file firing. For the stentorian voice of an official repeated each 'placet', and the milder voices of the prelates sounded like the reverberation between each shot of sound. So it went on for two full hours. 598 votes were given, and nearly 100 were absent.

April 17, Easter Sunday. Alleluia. Such an Easter was never seen in Rome before. The High Mass of the Pope was a marvellous function. St. Peter's got so packed that one of our secretaries declared he could not get his hand down to his pocket, which was pretty near a literal story all over the huge building. The Pope was in great voice and vigour. The 800 mitres filled the two sides of the long tribune between the high altar and St. Peter's chair. The solemn stillness of the heretofore surging multitude, as the sublime trumpets in the dome after the grounding of arms by the troops announced the moment of consecration, was most thrilling to the senses. You get some little notion of the proportion of things when I mention that merely on the altar steps the dignitaries here and there in attendance on the Holy Father, though it was a mere spot in the vast whole, and they were comparatively scattered on the steps, numbered eighty.

When we moved out of St. Peter's for the grand blessing to the City and the World, everyone seemed to be seized with astonishment, the great piazza, the square beyond, and the streets right down to the bridge of St. Angelo, a mile

in length, was one close mass of human heads. Never was such a spectacle seen in Rome. It was an utterly indescribable scene. There was of course a large body of troops, both horse and foot, but they seemed swallowed up in the countless mass. The vineyards on the right on the rising ground, the housetops, every place was covered. What would dear Mother Margaret have said, had she witnessed it all from the elevated position where I stood above the colonnade, taking it all in, Pope and all, at one and the same moment. The Pope's voice was as clear as ever, and we could hear every word of the absolutions as he uttered them; and when he rose and exalted his arms and voice, and the multitude went down on their knees, it was thrilling beyond expression. Then as he ceased, came up the roar of cheers, the roar of cannon, the clang of all the bells of all the Roman churches, almost drowning the martial sounds of all the military bands collected in the centre between the two great fountains throwing their waters up into the vacant air above the pavement of human heads. Next to me stood the First Lord of the British Admiralty, Mr. Childers, who went down with great reverence for the blessing, and was very much struck with the unprecedented spectacle.

April 19, Easter Tuesday. Alleluia. My amendment is carried, Deo gratias! It has been a fight. Now for womanly curiosity. It was only the transposition of two words, but of great importance in English-speaking countries.

To Canon Estcourt the same day:

To-day in General Congregation my amendment was carried unanimously, two only rising against it: after it had been first proposed and voted, the votes left uncounted; the substance of the question retracted and shelved; and then voted against in another form by the 'placet', except about forty who stood by me; and then protested against on the score of informality; then reopened by private correspon-

dence; then taken up anew and unanimously approved by the special deputation; then to-day finally voted. The first to congratulate me was a cardinal, who rose from his place to do so from the distance by bows and waves of his hand, and pointing me out to his red-robed neighbours. The next was poor Strossmayer, and so much of it threatened me, that as soon as the Congregation rose I got away as fast as I could. It was the only amendment accepted by the Congregation and passed the final voting, out of a large number proposed, except one other; and mine was to boot a retraction of a former vote, while the other was but a new addition of a word. But many Americans voted with me, and I owed the reopening and working of the question in Council to the Archbishop of Baltimore [Spalding]. I shall I hope be able to show some day what a mess it has saved us from, in England especially. Our Archbishop behaved well in the last act in the special deputation.

The Session for the decrees *de Fide Catholica* will be on Sunday. We present nothing from our deputation, why, I cannot understand, for we had a schema ready for the final discussion [that on the Catechism].

The original schema of eighteen chapters *de Fide* is reduced to nine, of which four are complete for the Session, the other five, under a new heading, awaiting the second discussion. Twelve chapters of the schema *de Ecclesia* have been written upon and 130 documents have gone in long ago, but no summary of them has yet been circulated, and of course no discussion has taken place. But the special deputation has had prodigious labour, day and night, and certainly has shown great consideration to every movement made in the Council. The papers on the four chapters *de Fide*, and the frequently reprinted forms of them, will make a good folio vol., independent of the debates.

The talk now is of a suspension at end of June, and a resumption after the hot weather.

Low Sunday, April 24. Now for the Public Session of

to-day, the third, but the first at which Decrees were passed. It lasted from 9 to 1.30. The Mass was of the Holy Ghost, and all the prelates were in red copes, looking like the army of the Church militant. The aula was used to its full extent, all screens being removed, so that all the acts were public, even the reading of the Decrees, which are now the property of the world, and the giving of the ' placets '.

The Mass was sung. Then the Pope entered and the usual prayers were said and sung, including the ' Adsumus ', the Litany, the ' Veni Creator ', etc.

Then a bishop with a clear full voice read the Decrees seated in the ambo, and all sat listening, until the last of the anathemas was concluded. Then began the voting, which took an hour and a half. First the cardinals, then the prelates in their rank and according to their age in office, down to the generals of Orders. As each one's title was read, he uttered his ' placet ', which was repeated by an official near him, then in a loud voice by one near the Pope, then re-echoed by one near the ambo, that the officials might record the vote. Those who were absent had ' abest ' called out, instead of ' placet ' after the name, with the same loud repetitions at the two ends of the aula. When all was done, and how long it seemed, the Secretary and protonotaries reported to the Pope that all, none excepted, who were present had given the ' placet '. Thereupon, the Pope declared his confirmation of the Decrees. He then arose, and poured out a short spontaneous address of peace and joy to the bishops. He was deeply moved and spoke in tones vibrating from his heart of the peace which unites the Church, of the peace which carries us through all trials, of the peace which makes us strong against all adversaries, of the peace and joy in believing which he prayed for us all in life and death, of the peace and joy of the Holy Ghost. And the bishops answered ' Amen ', much touched, and some would have applauded, but others hushed them into silence. And upon this scene gazed a long array of retired Royalties from the boxes on one side, and the ambassadors on the other ; and above them, from two opposite galleries the theologians.

The crowd in the Church could of course neither see much or know much of what was passing.

Then the Pope rose once more to give the Benediction and Indulgence, and uprose the 'Te Deum', intoned by the Pope, chanted by the choir and the bishops alternately; the prayer; and the first important Session is concluded. When will the last conclude? As the Decrees are now public, you will probably soon see them. There is a preface and four chapters: on God, on Revelation, on Faith, and on Faith and Reason, to which are added nineteen canons with an anathema to each.

The decrees now passed were four times the length in the original schema, and besides being reduced in quantity, they are very different in wording and in style. Almost every word has had its special discussion, and consequent modification. It is so compact, that each sentence, however short, strikes at one or more errors or heresies, and the uninitiated will require a guide through them. Hermesianism, false ontologism, and traditionalism are amongst the errors struck at, besides pantheism in its various forms, materialism, and the other modern infidelities. There are still five chapters more to come on the Mysteries of Faith, and then the great decree on the Church in a large number of chapters. All the errors of the age will be taken hold of in succession. There, I have told you all I can do. But I have just heard that the number who voted this morning was 667. A few kept away rather than say 'non placet' on some point or term they wished to see modified, or on some point of rule, or supposed right of rule, in the discussion. Including the sick, perhaps forty were proclaimed absent; besides whom a not inconsiderable number of prelates have got leave to return to their dioceses previously to the Session, on the score of health or of pressing affairs.

CHAPTER XVII

# CHURCH AND STATE AT THE COUNCIL

Though the relations of Church and State never in fact came under public discussion at the Council, the matter did give rise to an acute crisis that at one time bade fair to bring about an intervention of the Governments in the affairs of the Council. We have seen in Chapter VI that before the assembling of the Council the attitude towards it decided on by the Governments was one of non-intervention, so long as the issues being dealt with should be confined to the spiritual and religious order; but should any incursion be threatened into what the Governments looked on as the domain of the civil authority, they were prepared to take action in defence of the rights of the State.

The schema prepared by the theologians on the Church, 'de Ecclesia Christi', was circulated among the bishops on January 21. Such documents came under the law of secrecy, not to be divulged to any outside the Council. For all that, the twenty-one canons attached to the Constitution were printed in the Augsburg *Allgemeine Zeitung* early in February, and the entire text in another German paper. Their appearance caused a turmoil in the circles antagonistic to the Church and the Council, and raised a furious storm in the secular press of the whole world, and the statesmen were greatly perturbed. The Austrian Foreign Minister, Count von Beust, a Protestant, wrote on February 10 to the Austrian Ambassador at Rome to represent to Cardinal Antonelli that

> if such proposals should be defined an impassable gulf would be dug between the laws of the Church and the laws that govern modern society. In particular, many of the canons are of a nature to paralyse the civil legislative power, and threaten to destroy the respect all citizens should have

for the laws of their country. The Austrian Government could not allow the promulgation of decrees of the kind.[1]

Other statesmen were similarly moved, notably Mr. Gladstone, the English Prime Minister. It is necessary therefore to give some account of the contents of the schema.

The document is printed in Mansi, III (51), 539-53, and in *Lac* 567-78, and lengthy Annotations follow the text. A full and careful analysis is given by Ollivier.[2]

The first ten chapters set forth the Catholic teaching on the Church; XI and XII are concerned with the Roman Pontiff, his primacy and the temporal dominion of the Holy See; the three concluding chapters deal with the question of Church and State. It may be useful to point out that of all this schema only chapter XI ever came before the Council: it was developed into the second dogmatic Constitution enacted on July 18.

Of the first portion, the summary treatise 'de Ecclesia', the following is the contents of the ten chapters:

I. The Church is the Mystical Body of Christ.
II. The Christian religion can be fully cultivated (excoli) only in the Church founded by Christ.
III. The Church is a true, perfect, spiritual, supernatural society—
IV. A visible society—
V. With a visible unity, so that religious bodies out of communion with this visible society are no parts of the Church of Christ.
VI. The Church is a society necessary for attaining to salvation.
VII. Out of the Church no one can be saved.

An explanation is made: This does not mean that those who labour under invincible ignorance concerning Christ and His Church will be for that reason condemned to everlasting punishment, as

[1] *Lac* 1570.
[2] *L'Église et l'État au Concile du Vatican*, II, 102-14.

they are not thereby guilty of any fault in the eyes of God, who will not deny to anyone doing what in him lies the grace that he may attain to justification and everlasting life. But indifference in regard to religions is condemned.

VIII. The Church is indefectible

IX. and infallible.

Her infallibility extends to all revealed truth, in Scripture and in Tradition,—i.e. to the Deposit of Faith—and to whatever is necessary for defending and preserving it, even though not revealed.

So far there was nothing new : it was but a short assertion of what theologians of all Catholic schools, Gallicans[3] as well as Ultramontanes, had always taught in the treatise ' de Ecclesia ', and most of it can be found in the writings of the Fathers. But chapter X, ' on the Power of the Church ', was one of those that stirred up the fears of the statesmen :

X. The Church is not a society of equals : some in it are divinely instituted to sanctify, to teach, and to govern ; others to be sanctified, to be taught, to obey. The power in the Church is of order or of jurisdiction. This jurisdiction is not only in the realm of conscience (forum internum) and sacramental, but external and public—it is absolute and entire, namely, legislative, judicial, and coercive. The Pastors have this power from Christ, and they exercise it freely and independently of any secular domination. With full authority they rule the Church of God, alike by necessary laws binding in conscience, by decretorial judgements, and by salutary punishments on offenders, even against their will, not only in matters of faith and morals, worship and sanctification, but also in those concerning the external discipline and administration of the Church. Whence the Church is to be believed to be a perfect (i.e. fully complete) society. And this true and most blessed Church of Christ is none other than the one holy, Catholic, and apostolic Roman Church.

[3] On Gallicans, see Chapter III.

XI and XII were on the primacy of the Roman Pontiff, without mention of infallibility; and on the temporal dominion of the Holy See.

XIII, XIV, XV were on Church and State, and were the ones that principally threatened to embroil the Council with the Governments.

XIII. *The Concord between the Church and Civil Society.*— God being the Author of the two societies, the Church and the State, it follows by the very nature of things that there is no conflict or opposition between them. The Church by sanctifying men makes them better citizens, and confirms the authority of rulers by making obedience to them matter of conscience. Rulers also it exhorts to rule justly and for the good of their subjects. This union of the two Societies is according to the law of God, that they mutually help each other, and that the State recognize and protect the laws and rights of the Church.

Therefore let not anyone say that the authority and rights of the Church cannot coexist with those of the State; or that for the best form of civil government the separation of State from Church is necessary; or that human society should be so constituted and ruled with regard to religion, as if religion were non-existent; or as if there were no difference between true and false religions.

Conflicts between Church and State would not arise were it remembered that the Church is concerned with things of a higher order, namely the eternal salvation of men; and that things that may seem useful for the temporal Kingdom, but are a hindrance to salvation, are not true goods.

XIV. *The teaching of the Catholic Church on the right and the exercise of the Civil Power.*

Against various modern errors the Church teaches that every lawful authority, and therefore the civil authority, has God for its author; therefore obedience to lawful authority is of the law of God. Rulers on their side must rule according to the law of God, not according to utility,

or public opinion, or the will of the multitude, if they be counter to the law of God.

But the judgement as to the rule of action, in as far as it concerns right moral conduct as to licitness or illicitness, for civil society and for public transactions, belongs to the supreme authority of the Church. In the way of eternal salvation, for all, subjects and rulers alike, the Church has been established by God as guide and teacher (dux et magistra). Therefore rulers must not deem it right, either in private or in public affairs, to violate for political reasons the laws and the rights of God and of holy Mother Church.

XV. *Certain particular rights of the Church in relation with Civil Society.*

Among the violation of the rights of the Church on the part of civil Governments may be specially singled out:

(*a*) the laicizing of education, so that all consideration of religion is excluded, and the Church prohibited from all control and from providing instruction in Catholic religion;

(*b*) the idea that the State should control the working and the courses of studies in ecclesiastical colleges and seminaries wherein the clergy are trained;

(*c*) the suppression of religious Orders;

(*d*) the denial of the Church's right to hold property, and the confiscation of Church property.

There follow the twenty-one canons that were the chief rock of offence. Ollivier gives them in French. Canons I-XIII are attached to the first ten chapters, those on the nature and properties of the Church. They proclaim under anathema the heads of the doctrine briefly set out above; they do not in any point go beyond the recognized Catholic principles on the Church held by all Catholic theological schools. XIV, XV, XVI belong to chapter XI, on the Primacy of the Roman Pontiff; they are substantially the canons attached to the first three chapters of the Constitution on the Papacy finally enacted. The last five, XVII-XXI, belong to chapters XIII-XV, and deal with the thorny question of Church and State. They condemn the following propositions:

XVII. The independent ecclesiastic power of the Church and the supreme Civil Power cannot coexist together, in such sort that the rights of each be saved.

XVIII. The power necessary for governing civil society is not from God ; subjection is not due to it by the law of God ; it is against the natural liberty of man.

XIX. All rights among men are derived from the political State, and there is no authority but what is communicated by it.

XX. The supreme rule (norm) of conscience for public and social actions lies in the law of the political State, or in public opinion of men ; the judgement of the Church, by which she pronounces on licitness and illicitness, does not reach to public and social actions ; by virtue of the civil law that becomes lawful which is forbidden by divine or ecclesiastical law.

XXI. The laws of the Church have no binding force save in so far as they are confirmed by the sanction of the Civil Power ; it belongs to the Civil Power, by virtue of its supreme authority, to judge and decree in matters of religion.

Such were the propositions condemned in the proposed canons on Church and State. When considered dispassionately they must surely, every one of them, appear indefensible to those who believe in God and accept religious sanctions. Indeed it may be said truly that the whole statement on Church and State was made with much discretion and moderation. It asserts that a union of Church and State is the most ideal relation, the Church assisting the State, the State protecting the Church : it is for the Church to pronounce, if so be, that a law or an act of the State is counter to the law of God, and therefore unlawful and invalid. That the schema should have aroused such vehement protest on the part of von Buest and the other statesmen must be attributed to the excited state of public opinion and to a recrudescence of the fears caused by the Syllabus in 1864.

The publication of the schema at the beginning of February

raised a ferment in the political and diplomatic worlds.[4] The letter of von Buest was communicated to the other Governments. The Bavarian Government, where Döllinger wielded a great influence in Court circles, had been from the beginning all for intervention in the Council; and now it made a move to induce the English Government to take the lead in an endeavour to bring about concerted action of the Governments. Mr. Gladstone was Prime Minister; he was the close friend and great admirer of Döllinger, and so was altogether disposed to accept his ideas and take up his attitude in regard to the Council: this came out in Gladstone's pamphlet attack on the Council four years later.[5] And he was being played upon by Lord Acton, who already had great influence over him, who kept strongly urging him by letters from Rome to bring the English Government into action.[6] And so Gladstone was all in favour of a combine of the Governments to turn the Council away from questions of Church and State and Papacy, and in particular to block the Infallibility.

But another current of influence was playing on the English Cabinet. Lord Clarendon was Foreign Secretary, and he was being plied by letters from Mr. Odo Russell, the English Government's Agent at Rome, in favour of abstention. Russell was not a Catholic, but his mother was, and he was wholly sympathetic with the ideas of the Majority, looking on the definition of infallibility as vital for the full spiritual freedom of the Catholic Church. And behind him, encouraging him to influence Clarendon, was Manning. That he might act on Russell the more effectively, he obtained from the Pope a dispensation from the law of secrecy, so that he could communicate freely to Russell everything that took place in the Council. And so, while Acton was sending to Gladstone information after the manner of Quirinus' Letters, of which he was part author, highly coloured, fanatical, extravagant;

[4] The documents relating to the movements of the Governments are printed in *Lac* 1546-1607. The story is told by Granderath, II Bk. iii, c. 11.

[5] See *Life of Bp. Ullathorne*, II, 88 ff.

[6] See *Lord Acton's Correspondence*, Vol. I, section 'Vatican Council and Decrees'.

Russell was sending to Clarendon information derived from Manning that was more authentic, and served as the antidote. So effective were Russell's despatches that at the decisive Cabinet meeting, at which was discussed Gladstone's proposal for a demonstration by the Governments, Clarendon carried against Gladstone the policy of non-intervention. This is Manning's account :[7]

> The Prime Minister, Mr. Gladstone, supported the Bavarian proposal on the grounds and by the arguments supplied to him by Acton ; but Lord Clarendon, better informed by Odo Russell, exposed one by one the fallacious statements and wilful distortions of fact. Finally, after a hot discussion, Mr. Gladstone was defeated in the Cabinet, the Bavarian proposal was rejected, and the Vatican Council was left in peace to do God's work.

There is no other record of this Cabinet encounter, but Russell was surely well-informed. It took place probably at end of March or beginning of April ; for Acton's last letter to Gladstone is of March 20 ; though Russell and Manning were still writing a few days later.

It was Manning's great achievement thus to avert what was probably the most serious crisis for the Council, the threatened diplomatic move of the English Government to bring about a general interference of the Governments with the liberty of the Council. Though this, the most acute crisis, was averted, the possibilities of Governmental action were still alive, as will be seen just now. In particular, Mr. Gladstone kept the matter on his mind, and it came about that Dr. Ullathorne indirectly got into correspondence with him on the subject.

On May 6 Ullathorne wrote :

> The Governments of the world are getting alarmed under the notion that the Council is going to revive old claims of the Church over the civil power, and I have before me a letter of Mr. Gladstone's privately addressed to a

[7] Purcell, *Life of Manning*, II, 436.

relative, recently converted, in which he says that with our unity, which we parade in face of other people's divisions, we must expect to be all held as participators; and that if we intrude beyond religious questions into the civil order, we must expect the *lex talionis*, that is, I suppose, an intrusion of the civil power into our religious affairs. This letter I am going to reply to.

Gladstone's letter was dated April 29:

With regard to the Council, I was charged in the House of Commons with having abandoned instructions declared in 1866, in deference to the wishes of the Roman Catholic ecclesiastical authorities, and by way of close approximation to their views. I replied that anyone who simply observed what was now going on in Rome must be aware that for any British Minister such approximation was impossible.

The undeniable fact is that the proceedings at Rome are producing effects in this country very unfavourable to our Roman Catholic fellow subjects; nor can it be wondered at, for a moral complicity is naturally supposed to prevail in a body which contrasts its own unity, even to parading, with the dissensions of others, and those who extend religious authority, or the claim of it, into the civic sphere must be prepared for the *lex talionis*.

In the simply religious bearings of the great Roman conflict I feel a deep interest; but this is quite a distinct matter, and I speak of it in a personal, not in an official capacity.

Ullathorne wrote May 6:

You were kind enough to show me yesterday a letter from Mr. Gladstone, in which he observes that 'those who extend religious authority, or the claim of it, into the civic sphere must be prepared for the *lex talionis*.' This remark has been made under the impression that the œcumenical

Council of the Vatican is inclined thus to extend religious authority. This however is an erroneous impression, although it is shared by other statesmen with your distinguished correspondent.

Let me first state facts as they stand, afterwards I will enter into the specific question.

That the Council might not waste its time after assembling, in devising and preparing the subjects to be entertained, for two years previous certain preparatory commissioners were appointed, consisting of theologians and canonists, not of Rome merely, but deputed by the bishops of the different hierarchies throughout the world. Each of the four commissions was presided over by a cardinal. The result of their labours was a certain number of schemata respecting faith, church discipline, and the regulation of the religious Orders. But those schemata are neither the Acts of the Holy See nor the Acts of the Council; they are simply drafts of matter accompanied with annotations. It is a curious fact, illustrating what I have said, that when distributed to the members of the Council they were as new to the body of cardinals as they were to the bishops. It is equally a fact deserving of remark, that as the commissions were chiefly formed of learned professors, their work is mostly found to contain a quantity of views and references that belong more to the past than to the present and the future. Hence the schemata have to undergo extensive modification at the hands of the bishops in the light of their knowledge and experience of present exigencies. Thus in the constitution already passed and promulgated, the schema, though concerning elementary points respecting natural religion and the foundations of faith, has been reduced to about a third of the original matter, and the text has been changed throughout. So is it likely to be with nearly all the schemata that may be brought under discussion.

Hitherto nothing whatever has been brought into discussion relating to the bearings of the spiritual upon the temporal authority, nor is anything of that kind contem-

plated in the future of the Synod. This I say, not merely of my personal knowledge, but I have put the question to one of the Cardinal Presidents of the Council with express reference to Mr. Gladstone's remark in his letter to you, and he replied that nothing of that kind was contemplated. I believe that Cardinal Antonelli, in a letter that is now before the public, has made a similar declaration. There is no question at this day of claiming authority for the Holy See or the Church, such as the medieval constitution of Christendom led Pope Boniface VIII to put forth.

It is true that in a schema that has got out into the world, there occur certain chapters where the rights of the ecclesiastical and of the civil authorities and their mutual concord are treated of, but this part of that schema has not and is not likely for a long time to come before the Council. This portion of the schema cannot therefore be considered either as the Act of the Holy See or the Act of the Council. It simply incorporates the ideas of a limited body of theologians and canonists on that subject; of men, that is to say, whose minds were filled with the past. From what I hear on all sides, and think myself, those chapters, whenever they may come before the Council, will undergo considerable and substantial alterations.

What is really and solely contemplated, and on this matter I speak the sense of one of the Cardinal Presidents before referred to, as well as my own, is this: to define the duties of Catholic Christians towards constituted authority in the civil order, as that duty rests upon the natural and the divine law. Those duties are not in diminution of, nor do they imply interference with, any constituted civil authority, in its own legitimate sphere; but, on the contrary, they tend to support and induce obedience to its lawful behests. It is thus the Church condemns conspiracies and machinations against lawful and constituted authority, whether that authority be the spiritual or the temporal.

Of course a man must carry his Christian conscience into all the duties and relations of his life; and that conscience, formed in the light of the natural and the revealed

law, requires him to be honest and faithful to his principles in his political as in his other dealings with society. And it is the duty of the Church to keep the light of the religious law before the eyes of all her children. But there is certainly no intention to put forth claims on the part of the Church to interfere with the full and lawful action of civil society in what purely concerns civil and social matters. The Church asserts her right to her own free and independent action in what concerns her own spiritual affairs, and in her own internal government, as a religious society distinct from that of the political state. But within these limits she stops.

Of course there are mutual relations involving mutual duties between Catholic States and the Church, where the Church has a State recognition, especially where concordats exist; and the Church cannot avoid taking cognizance of these mutual duties. But such cognizance cannot be generalized and interpreted as applicable to States where such relations do not exist, and which are not even Catholic.

His correspondent wrote:

My Lord: As soon as I received the letter you were so good as to send me, I forwarded it to my cousin, to whom I am sure it will give great satisfaction. When I hear anything from him in reply I will not fail to let your lordship know, though I think that most probably Mr. Gladstone will address himself to you.

However, Ullathorne heard no more.

It may be said that Dr. Ullathorne's prognostication of what would have happened to the schema 'de Ecclesia' had it come before the Council, was surely correct: it would have fared no better at the hands of the bishops than did the schema on Catholic Faith. On February 22, after it had been in the hands of the bishops for a month, they were given ten days to write out and lodge with the deputation *de Fide* any criticisms and suggestions they might see good to make on the first ten

chapters, the portion dealing with the general theology ' de Ecclesia ', not including the Papacy (c. xi). The result was 124 papers of Observations, many of them the productions of groups of bishops, as many as ten or even twenty ; so that it is no exaggeration to say that some three hundred bishops took part in the effort to emend the schema. And many of the papers covered a large number of different points in different parts of the schema. When all were scheduled by the theologians of the deputation the Analytic Synopsis covers just 200 columns of Mansi,[8] and the Observations number 600, including some complete rewritings of whole chapters, and even of the entire schema : one such was put in by Bishop Ketteler of Mayence, to which several German bishops adhered ; and another by the Dominican Cardinal Guidi and the Dominican group. The schema was very ruthlessly criticized and badly pulled to pieces, and by no means only by the Minority ; Majority bishops called for drastic modifications : for instance one of the principal series of Observations was by Cardinal Pecci and a group of Italian bishops. This portion of the schema never came before the Council, or even before the deputation *de Fide*, so that nothing came of the great volume of work put into it by so many bishops ; but to read the episcopal comments on the work of the theologians and canonists is a highly instructive lesson in theology.

To return to the Governments. The danger of their interference was not finally removed by the refusal of the English Government to take the initiative. The most serious threatening lay with France. On January 2, 1870, a liberal Government was formed, the last hope of saving the Empire of Napoleon III from the waves of unpopularity that were threatening to engulf it, by mitigating its autocratic character and putting it on a more liberal and popular basis, as a constitutional monarchy. M. Émile Ollivier became Prime Minister, in fact, if not in name, and Count Daru became Foreign Minister. Ollivier we have already met in Chapter VI ; though not a Catholic, he was well disposed to the Catholic religion and the Church. Daru was a declared and

[8] III (51), 731-930.

practising Catholic, of the group of Catholic liberals, the friend of Falloux, de Broglie, Montalembert, Dupanloup. We have seen in Chapter VI that before the Council Ollivier had been mainly instrumental in bringing about the abstention of the French Government from any participation in the Council, even by sending an ambassador as at Trent: he held the objects for which the Council was convoked, and even the infallibility, to be purely internal religious issues, with which the State was not concerned; his solicitude was to secure an harmonious working of the Catholic Church in the conditions of the modern State and the principles of '89, as existing in France under the Empire. He maintained this same attitude as Prime Minister, and impressed it on most of his colleagues. But Daru was strong for a policy of intervention, to preclude the chance of the propositions of the Syllabus being decreed, or any affirmation of principles in conflict with modern States as actually constituted; and he shared the fears of von Beust as to the tendencies of the schema 'de Ecclesia'.

And so, on February 21, the Cabinet was startled by Daru announcing that on the previous day he had, with the approval of the Emperor, despatched to the French Ambassador at Rome a Memorandum, to be presented to Cardinal Antonelli, the Secretary of State, and by him to the Holy Father,—and this without the knowledge of his colleagues or even of the Prime Minister.[9] The natural outcome of such procedure would have been Daru's resignation; but Ollivier says they did not want to face a break in the Cabinet so soon after the formation of the new Government, and in so critical a state of French political life. Therefore a compromise was made: the Ambassador was telegraphed to, not to present the despatch; and Ollivier undertook to tone down Daru's text and moderate its terms, so that it was agreed to, albeit with misgivings, by the Cabinet. In this amended form it was pre-

[9] The story of the following transactions is told in an interesting and very living chapter by Ollivier, *L'Église et l'État au Concile du Vatican*, II, c. vii. The principal documents are printed in *Lac* 1546-69.

sented to Antonelli by the Ambassador in the first days of March.[10] It set forth :

So long as the matters before the Council were concerned with things of the purely spiritual and religious order, the French Government had determined to stand aside and leave the Council in untrammelled freedom. But the recently published schema and canons ' de Ecclesia ' show that matters of a mixed order affecting the State are going to be discussed. The Emperor's Government, as heir by the Concordat to all the rights and privileges in regard to the Church enjoyed by the old Monarchy, has the right to make known its views and wishes to the Holy See and the Council by the presence of an ambassador at the Council. This right has been waived; but the Government claims the right of making known its views on the aforesaid mixed questions, which incontestably touch the political order.

They may be reduced to two points :

(1) The infallibility of the Church is made to extend not only to everything contained in the Deposit of Faith, but to everything necessary for guarding the Deposit. That is to say, not only what has been revealed, but facts of history, of philosophy, or science, when judged necessary for the defence and exposition of revelation, are embraced in the Church's prerogative of infallibility.

(2) The Church being a divine and perfect (i.e. complete) society, her power reaches to externals, and she is absolute in the legislative, judicial, and penal orders : this power should be exercised freely, independently of any secular power. And as there is question of declaring the Pope infallible, all these powers of the Church will be vested in him.

The consequences that flow from these principles may be stated thus : there are subject to the supreme magisterium of the Church, the constitutive principles of society ; the political rights and duties of citizens ; their electoral

[10] *Lac* 1553 ; Ollivier, op. cit., II, 551.

and municipal rights : also whatever in the legislative and judicial order contains what is licit or illicit in view of the natural or divine or even ecclesiastical law ; and so marriage, the family, the civil rights and duties of married people, of fathers, of children, contracts, means of acquisition, prescription, the rules of administration and of the public functions of officials, the rights of corporations, education, taxation, peace and war, conquest :—all this is nothing else than the consecration of the supreme authority of the Church over society, and the absolute subordination of all the political and civil rights of every authority whatsoever to the Papacy, proclaimed infallible.

It would seem that Rome has not sufficiently considered the profound impression made throughout the whole world by the mere enunciation of such doctrines, and the danger of reviving them in our day, after the changed ideas and the events of the last hundred years.

The Governments therefore are bound in duty to pray the Holy Father, there being question of political and not religious interests, to hear them. We pray therefore that such mixed proposals be communicated to the Governments before being discussed at the Council, that their comments may be heard.

Antonelli's reply was given March 19 ; it was a long and very diplomatic document in Italian :[11]

After thanking the French Government for holding Rome for the Pope, and for hitherto respecting the liberty of the Council, he said it passed his comprehension how such an exaggerated and mistaken idea of the import of the schema and canons could be entertained. There is nothing new in the doctrine on the Church ; it is what has been taught by General Councils and by the Catholic schools in all countries, without let or hindrance from the Governments. Much less is it possible to agree with what is

[11] *Lac* 1555. Manning gives it in English in an Appendix to *The Vatican Council and its Definitions*, in the volume *Petri Privilegium*.

said as to the character and extension of the canons : there is not attributed to the Church or the Pope any direct or absolute power over the whole sphere of political rights ; nor should the subordination of the civil power to the spiritual be understood in the sense of the despatch, but in quite another.

The Church has no thought of exercising any direct power over the political rights of the State. But as she has from God the sublime mission of guiding men, alike individually and as constituted in society, to a supernatural end, she has thereby the authority and the duty of judging of the morality and the justice of actions, interior and exterior, as to their conformity with the natural and divine laws. And as no act can be exempt from this character of morality and justice, it follows that the judgement of the Church, although directly bearing on the morality of the action, indirectly reaches to all the things with which it is bound up. But this is not equivalent to an intervention directly in political affairs, which according to the order established by God and by the teaching of the Church, belongs to the temporal power. Consequently it is not the case that the Church exercises a direct interference on the constitutive principles of the Governments, on the political rights of citizens, on the duties of the State, and the other things named in the despatch. But no civil society can subsist without a supreme regulating principle of the morality of its acts and its laws : and the Church has from God this sublime mission.

Moreover, no decrees made by the Council on relations of Church and State will make any difference to the relations settled by Concordat between the Holy See and France and other Governments.

It seemed good to reproduce this, evidently carefully formulated, statement of the ' indirect power ' claimed by the Church in regard to the laws of the State. Ollivier looked on it as a bare reassertion of the old claim to ' indirect power ', formulated by Bellarmine, and as wholly inadmissible by the

Governments. But if it be compared with Bellarmine's, the profound difference will appear. Bellarmine's fundamental proposition ran: 'We assert that the Pontiff as Pontiff, though he has not any merely temporal power, yet has, in order to effect spiritual good, supreme power of disposing of the temporal affairs of all Christians.' And he reduces this principle to practice by asserting for the Pope the power of legislating over the head of the temporal ruler, enacting or abrogating laws of the State, when the salvation of souls requires it; also of deposing princes and handing over their kingdoms to others, for the spiritual good of their subjects.[12] Quite other was Antonelli's claim, that the Church has the right of judging a law of the State to be against the law of God, and therefore not to be obeyed. Such a claim goes back to the Apostles: 'We must obey God rather than man.' A clear instance is the divorce laws of many modern States: the Church declares them to be against the law of God, and that therefore marriages of divorced persons, no matter what the State may allow, are unlawful and invalid. There are not many such clashes. By a recent decree the Church has made the civil marriage of Catholics invalid; but Catholics may comply with the law by going through the subsidiary civil ceremony required for the legal recognition of marriages by the State.

Daru's memorandum had been communicated to the various Governments; they applauded it, but were not prepared to join in any common action. But the announcement made on March 6, that the question of the Pope's infallibility was to be brought on at the Council, stirred them up to fresh diplomatic activity, and there were renewed threatenings and fears of intervention. These fears are reflected in a letter of Dr. Northcote, one of the Oxford converts, President of Oscott College, Birmingham, who was in Rome as Bishop Ullathorne's theologian:

> March 11. There are reports outside the Council very rife, about the diplomatic body being much excited and very busy with the schema *de infallibilitate*, which it is said was

[12] See Fr. Brodrick's *Blessed Robert Bellarmine*, I, c. xii.

despatched to Paris by a special messenger twenty-four hours before the bishops got it. *How* the French Embassy got it, of course, nobody knows but the printers. Excitement is very high amongst others also besides the diplomats.

So threatening did the attitude of Governments become during the second half of March, that Antonelli, as Cardinal Secretary of State, was thoroughly alarmed ; so much so, as we learn from M. Icard's Diary,[13] that he got together the cardinals who were his chief advisers on affairs of State, communicated to them his fears, and on March 25 went with them to the Pope, and strongly urged the withdrawal of the infallibility question. Pio Nino's answer in effect was : Full steam ahead—' I have the holy Virgin with me : I will go on ! '

Daru and the French Cabinet were not satisfied with Antonelli's reply to the Memorandum, and another Memorandum was prepared. Daru was bent on claiming the right of sending a special ambassador, as at Trent, to be admitted to the Council and to lay before the Fathers the ideas and fears of the French Government regarding the ' mixed questions ' of Church and State ; and having done so, to withdraw. The other Governments were invited to make common cause with the French ; but Vienna, Berlin, Florence, Madrid, while sympathizing with the French move, firmly refused to send ambassadors to the Council. Ollivier himself would not fall in with Daru's idea : it would be exposing the French Government to a humiliating rebuff, unless the claim were made effective by being backed with a threat of withdrawing the French troops from Rome, a thing which he and the majority of the Cabinet, and Daru himself, regarded as out of the question while the Council was sitting. Finally it was determined to present the new Memorandum to the Holy Father himself, as President of the Council, begging him to lay it before the Council. It was dated April 6 :[14]

[13] Mourret, *Concile du Vatican*, p. 267.
[14] *Lac* 1563 ; Ollivier, op. cit., II, 559.

It says that the explanations offered are not satisfying, because they refuse to words their natural and true meaning, so that it is impossible to escape from the conclusion that the purpose of the schema 'de Ecclesia' is to re-establish in the whole world the ascendancy of doctrines subordinating civil society to the sway of the clergy.

[The argument of the former Memorandum is re-enforced.] Such are the maxims that the Council will be asked to proclaim in the face of the nineteenth century; and as such maxims are not admitted anywhere throughout Europe, a universal anathema will be cast, in the name of the Holy Father, on all civil institutions and societies.

It is said indeed that the Church declares abstract truths, but does not insist on their being applied; if these doctrines are in disaccord with existing laws, this disaccord relates only to principles; in practice they accommodate themselves to all forms of government and to all legislations.

But can it be said that in the 40,000 parish churches of France men are to be taught that they are free to do what they are not free to believe? that they should think in one way, but may act in another? Such a distinction would inflict on consciences the most painful torture.

It goes on to enforce the perils, for the Church and for society, of any conflict between the decrees of the Church and the principles of modern States and civil societies, which have come to stay.

In estimating the fears expressed in these Memorandums we must take count of the extreme line of antagonism to modern social and political institutions taken up by the French neo-Ultramontanes, and championed by the *Univers*; it was in reality the controversy of the Syllabus over again. The *Civilta* had first laid down the distinction, reprobated by Daru, between *thesis* and *hypothesis*; what could not be held as a *thesis*, a principle intrinsically right, might be held as a *hypothesis*, allowable, and even best, in given conditions. Thus the condemnation by the Syllabus of freedom of worship is a *thesis*, asserting that the ideal is unity in the true worship, albeit

freedom of worship may be allowed as a *hypothesis*. The *Tablet* spoke similarly on the eve of the Council :[15]

> Protestants love to represent the Church as meditating an aggressive movement against the fundamental principles of modern society. Catholics reply that the Church is but reasserting and enforcing a certain speculative doctrine, which no one thinks under present circumstances of reducing to practice. The doctrine in question consists of such particulars as these ; that liberty of worship and of the press are quite out of harmony with any normal state of Christian society, and can only be defended by alleging the existence of a deplorable social degradation.[16]

The French Ambassador was to present the Memorandum to the Holy Father himself, but this was delayed, owing to Holy Week, until April 22, after it had already got into the press. But Mgr. Forcade, Bishop of Nevers, one of the middle party of French bishops, who had been in Paris, had at the request of Daru undertaken to see the Holy Father privately and explain to him the attitude of the Government. He wrote to Ollivier on April 7 that he had had on that day a long, intimate, and most affectionate audience.[17] Forcade ' ventured to insinuate ' that the best way of avoiding the difficulties would be to postpone as long as possible the discussion of the schema ' de Ecclesia ' and the whole matter of Church and State that was so irritating, till minds had had time to cool down ; and so not allow the question to come on that year. This proposal was better received by the Pope than Forcade had hoped for. The Pope's desire was to avoid trouble, whether for the Church or for the Governments, over the matter of the relations of Church and State. Ollivier is very likely right in surmising that the decision to give precedence to the question of the Papacy before the rest of the schema

[15] Oct. 30, 1869.
[16] This sounds like W. G. Ward.
[17] *Lac* 1561 ; Ollivier, op. cit., II, 214.

vas motived partly by the desire to shelve subjects that might ntagonize the Governments.

When the Ambassador on April 22 presented the Memor-ndum, the Pope said he would consider it carefully, but he ould not officially lay it before the Council. At this juncture Daru resigned his place in the Cabinet, not on this issue, but n political grounds, and Ollivier for the time being took over he portfolio of foreign affairs. He at once reversed Daru's olicy of intervention in the Council, which he had never iked or believed in; and the telegram went from Paris to Rome: 'Daru se retire, Ollivier remplace, Concile libre.'

And so it was; from that time forth there was no menace f the Governments interfering with the full liberty at the Council.

CHAPTER XVIII

# FURTHER INFALLIBILITY MOVEMENTS

All through January, as recorded in Chapter XI, the signing of petitions and counter-petitions had been going on over the issue of bringing before the Council the burning question of the Pope's infallibility. At the end of the month these petitions were all laid before the Pope, who refused to receive them himself, and ordered them to be handed over to the Congregation *de postulatis*, whose function it was to consider and report on proposals made by bishops for any matter to be laid before the Council, the decision resting with the Pope. The Congregation met on February 9. It consisted of twenty-six members, nominated by the Pope. Three were of the Minority: Cardinal Rauscher, Jussef, Melchite-Greek Patriarch of Antioch, and the Archbishop of Turin. Of the rest were Cardinals de Bonnechose and Cullen, Archbishops Spalding, Manning, and Dechamps, and Martin of Paderborn. The minutes are in print.[1] Rauscher alone gave a definitely negative vote. Jussef, after expressing his belief in the Pope's infallibility, went on to say that his personal experience of the Greek Orthodox Church satisfied him that the definition certainly would be an obstacle in the way of reunion and of conversions. Bonnechose and one or two more hoped that the definition would be couched in such terms as to secure that the greatest number possible might vote for it. Finally there was, with the one dissentient voice of Rauscher, a unanimous affirmative vote recommending the thing to be proposed at the Council.

It was not until March 1 that the Pope confirmed the decision; and on March 6 the public announcement was made that the infallibility was to come before the Council. On that day was distributed the formula on the Pope's infallibility

[1] Mansi, III (51), 687.

prepared beforehand by the commission of theologians in case it should be needed, and ten days were allowed to the bishops for formulating in writing and lodging with the deputation *de Fide* any animadversions they might see fit to make on chapter XI of the schema ' de Ecclesia ', on the primacy of the Roman Pontiff, along with the addition on the infallibility : on a remonstrance from several bishops the time limit was extended to the 25th.[2]

Meantime all through February and March the extra-conciliar agitations among the bishops over the infallibility, both for and against, were going on with ever-growing intensity. The activities of Mgr. Dupanloup were prodigious, and excited the astonishment of all. Manning long after said :[3]

> I do not know, I cannot even guess the number of secretaries employed by Mgr. Dupanloup—[Ullathorne says six]—but I know that day by day, week by week, bales of baneful literature—letters, pamphlets, circulars, appeals—were despatched to every centre of intrigue in Europe—notably to Paris and to Munich.

So vehemently were spirits moved that on February 7 the Bishop of Laval wrote to the director of the *Semaine religieuse* of Laval, and ordered him to insert without alteration a letter in which he declared before God that he would rather fall dead on the spot than follow the Bishop of Orleans in the ' unqualifiable manœuvres ' that he hears and sees going on.[4]

Fortunately there is to hand a revelation of the inner mind and real spirit of the Opposition leaders in letters written to Newman by Dr. Moriarty, Bishop of Kerry, one of the most active and determined bishops of the Minority. The Observations he put in on the proposed definition state that as professor of theology he had taught the papal infallibility as a

[2] For chap. XI of the schema and the additions, see Mansi, III (51), 543, 701 ; *Lac* 571, 641.
[3] Purcell, *Manning*, II, 429.
[4] *Lac* 1317.

true theological opinion ;[5] but he was altogether opposed to its being defined as an article of Faith. His letters speak for themselves ; the first was in January :

We have made a little reunion at the Palazzo Salviati. Cardinal Rauscher of Vienna, Archbishop of Paris, Bishop of Grenoble, Bishop of Orleans, Archbishop Kenrick of St. Louis, Archbishop Connolly of Halifax, Strossmayer of Bosnia, Ketteler of Mayence, the Bishops of Ivrea and [? *illegible*] representing north and south Italy, and I.

It is well appointed with the sharp intellect of Mgr. Darboy, the ardent zeal of Dupanloup, the massive intellect of Ketteler, the strategic ability of Ginoulhiac of Grenoble, the Irish slap-dash of Halifax, and the brilliant eloquence of Strossmayer ; all presided over by the aristocratic gentleness of Cardinal Rauscher. We are all thoroughly of one mind. Manning works hard and cleverly on the other side.

Feb. 3. Never before did I feel anxiety for the Church. Now it is all but a torment. 'Modicae fidei, quare dubitasti?' conscience says to me. I try to be prepared for every event, and to trust in the promises ; but the loss of souls who are near and dear to me, the fear of schism and of secret heresy, make me miserable night and day. I can only speak of what I know extra-conciliariter. A large number have put in the postulatum you saw in *The Times*. I think 500 would vote for it. The Pope will not take the initiative, but he will be only too glad to go with the majority. We have at the utmost 200 on our side ; but we represent the Church *militant*, in Hungary, Germany, half of France, England (except Westminster and Beverly, perhaps another), all North America. From Ireland I am only sure of one with me. The majority represent the Curia Romana, Italy, Spain, Belgium, Ireland, South America. It is composed of men who have not come into conflict with the unbelieving mind, or into contact with the intellectual mind of the time. When I read the school of theology in which

[5] Mansi, III (51), 1026.

they were trained I am not surprised that they treat every doubter as a heretic.

As our adversaries are aggressive we hope they may be divided in their counsels. There are some signs of this. As we are on the defensive and for a simple negative, we are united. They say we must sustain the authority of the Pope against Maret and Döllinger: silence would be a victory for his enemies. This is unfair, for they made the position by first giving the challenge.

We do not know what side the Orientals will take; they smoke their pipes and hold their tongues. We must remember that they are for the most part Propaganda students.

It will be a comfort in any case that the decision will come from the constitutional tribunal, to which all must bow. The greater the majority the better, if it is to be: yet I hope. The Holy Ghost has many ways at His disposal, besides votes.

My mission is to talk to every man I meet—cardinal, bishop, or monsignore. I try to frighten our opponents and to encourage our friends, for there are many timid. I am the voice of one crying out, not in the wilderness, nor in the Council, but in the streets and the salons.

The Pope's blessing to me a few days ago was significant: 'Dominus benedicat te et *dirigat*'—one of His stray sheep!

The following Moriarty wrote without doubt in view of words in Newman's famous letter to Ullathorne: 'With these thoughts before me, I am continually asking myself whether I ought not to make my feelings public.'

Feb. 20. I am not in favour of your publishing your views on the great question. If it seems good to the Holy Ghost and to the Council that the definition should be made, it would be dangerous to have the public mind prejudiced against it. Would it not be a difficult task to raise obstacles to the definition, and at the same time to prepare the people for obedience and belief? I fear that Maret and Döllinger have done us harm. Moderate men have said to me that

they would never have harboured the idea of definition of papal infallibility, only for these attacks on the Holy See. I know you could and would write in a different tone and sense; yet the effect would be to render submission more difficult. With me the *palmare argumentum* against definition is that in an unbelieving age it will be 'in ruinam multorum in Israel'. No doubt other arguments against the *definability* of the doctrine press heavily upon me.

As to our prospects I can say nothing. The Majority is silent in its strength. The Pope is resolute and obstinate. Yet we are a compact body. Germans, all with two exceptions. Americans, nearly all. English, with only two exceptions as far as I know. We hope to have some Easterns, and we hope there may be many orthodox *in occulto*.

He mentions Ullathorne and Clifford: They are your sincere friends, and they entirely agree with us on the great question. Ullathorne is a model of prudence. Clifford is the very soul of chivalry—no braver bishop in Rome.

About Ullathorne he was mistaken, as all the letters show and the observations he put in. It illustrates the hasty judgements apt to be formed on either side, the wish being father to the thought.

At the same time Fr. Whitty, S.J., wrote to Newman. He had been a prominent secular priest under Wiseman, and the first Provost of the Westminster Chapter, 1850; but he had entered the Society of Jesus, and was now in Rome as Moriarty's theologian. He was himself a sober Ultramontane on the old theological lines, and was one of Newman's close friends and supporters. During the Council he was appointed Provincial of the English Province S.J. He wrote:

Feb. 23. It was said in the *Tablet* and other papers that 410 bishops signed for the definition. There are 700 bishops in Rome. If we put down 100 or 150 as not signing the postulatum from no wish to oppose either doctrine or definition, but simply from prudence, you will still have a minority of 150 against. This is very large and very

important, especially when one takes into account the variety of churches whence these bishops come. I have myself a great hope, increased by experience as times goes on, that some means will be found at last of solving the problem, i.e. of securing doctrine without at the same time wounding weak consciences or placing obstacles in the way of souls outside the Church. In spite of all the loud talking and loud writing that has gone on outside, everything confirms me in the hope that nothing will finally be carried inside with a high hand, or in opposition to a widespread and reasonable repugnance. Such at all events are my calculations and hopes, and I write them to you, that you may not heed reports that are circulated. It is almost impossible to get at the truth even here, because so many speak or even think as they wish.

Another letter of his may fitly be given here. He had to come away from Rome, to take on the office of Provincial, at the middle of May, when the infallibility debate was at its hottest. On May 15 he wrote to Newman, and after mentioning Moriarty, he went on :

> Poor dear fellow, he is working hard, and the work is for him one of great anxiety, and even one may say of anguish often. Dr. Furlong too [of Ferns] suffers not a little. I have come away from Rome, after having had a good opportunity of observing the working of the Council, far more impressed with the deep conscientious love of truth displayed, than the human passions of which so much is said and written.

In Chapter VIII the beginning of the controversy between Dupanloup and Dechamps has been narrated, how on the eve of the opening of the Council Dechamps had published a long open letter to Dupanloup, combating the latter's *Observations* (*Lac* 1286). Dupanloup's reply did not appear until March 1, when he published a letter that was in fact a considerable theological tractate dealing with the entire range

of the subject, the fullest and most forcible presentation of the case against defining the infallibility.[6] In only twelve days Dechamps responded in a yet longer letter, a tract of 80 pages.[7]

These were the protagonists : but other combatants entered the lists, and soon a pamphlet war broke out that ran its course till the end. During March and April pamphlets and tracts were issued on either side, and various aspects of the case against defining were set forth in tracts by Rauscher, Schwarzenberg, Ketteler, Kenrick, and by Hefele, who argued strongly on the case of Pope Honorius.

One of the points put in the forefront by Dupanloup was the obstacle the definition of infallibility would be to the return to the Fold of Protestants and Eastern Schismatics, and also the difficulties, it would create in the spread of the Gospel among the Heathen : ' Let us have pity on all these,' he cried, ' and not set up barriers and dig gulfs between them and us.' Mgr. Bonjean, O.M.I., vicar apostolic in Ceylon addressed an open letter to him : that his twenty-three years of missionary work among Hindus and Buddhists entitled him to speak ; the adherents of these ancient Indian religions have so great a sense of authority in religion that for them an infallible authority is bound up with the very idea of religion ; and so they would be attracted by the idea of an infallible Pope.[8] A number of vicars apostolic labouring in India, China, Japan, and other mission fields, associated themselves with Bonjean.

The General Congregations, which had been suspended since February 22, were resumed on March 18 for the discussion of the revised Constitution on the Catholic Faith (see Chap. xv). A rumour had gone about that a *coup d'état* was being planned for the 19th, to carry the papal infallibility by acclamation. Ullathorne speaks of it on 20th :

About *the* question, all the writings have gone in [i.e.

[6] *Lac* 1320-39.
[7] *Lac* 1340-52, the salient pieces.
[8] *Lac* 1362.

the Observations of the bishops], and the special deputation is busy with them. It got round that an attempt was to be made to carry it by acclamation; but such a protest was sent in by certain bishops, declaring that they would quit the Council under protest if it were done, that it was at once replied that it would be as desired, though without promising as to the future.

The bishops who put in the protest were the three Americans, Kenrick, Purcell, and Fitzgerald, and Moriarty. They said:[9]

> It has come to our ears that a petition is being made that the schema on the Pope's infallibility, recently circulated, be put to the next General Congregation and be carried without discussion. We cannot think that such a proposal could be tolerated by the Presidents, or approved of by any but madmen (insensati). But we give notice that if, *per impossibile*, such a thing were done, we would straightway quit the Council, and make public the reason of our departure.

At the Presidents' private session the next day they answered: 'No one thinks of such a thing but madmen' (insensati).[10]

This suspicion of the thing being suddenly carried by acclamation, as forecast in the unfortunate *Civiltà* article, haunted the minds of the Minority like a bogy. Manning declared positively that the responsible promoters of the infallibility had no thought of such a thing—they wanted a 'definition'.[11] On January 3 some such thing seemed prognosticated for the Public Session of the 6th. Again on February 20, impatient at the slow progress of the Council, Veuillot exhorted the Fathers to hasten on to the definition, because once this was achieved affairs could proceed much

[9] Mansi, III (51), 714.
[10] Granderath, II, Bk. ii, c. 3, p. 291.
[11] *Vatican Council and its Definitions*, p. 36.

faster, as pontifical acts could take the place of conciliar deliberation.[12]

Relying on Icard's Diary, Mourret hesitates as to whether the fears were wholly devoid of foundation, and he quotes a letter of one of the French bishops, that on arrival at Rome he found rumours, with the characteristics of incontestable likelihood, that there was serious question of declaring the Pope infallible by acclamation. 'I do not know if the project was really on foot; but on two occasions I was witness of attempts to carry it into execution.'[13] That the Minority had a constant fear of it is unquestionable, and Mourret says it was one of the factors colouring their whole attitude throughout the Council.[14]

The following notes on the progress of the great controversy are from Ullathorne's letters:

> March 20. A cardinal assured me *the* doctrine would be modified from the schema and rendered theologically precise. This is what I contended for in my votum to the deputation, refusing to vote for anything vague and undefined, for what is undefined is unlimited, and would give rise to endless fanaticism. It will not come on for discussion yet awhile; although on paper, in the way of proposed amendments, it has already been pretty well discussed, and the substance of what has been sent in will come to us all in print before the discussion begins.
>
> April 1. The Pope takes every opportunity of expressing his views on the infallibility, both in audiences and in letters that at once get into the papers. He has quite changed his old policy on our arrival, when he professed neutrality before the Council.

[12] Similarly the *Univers* of Feb. 9: Le temps est court. Le Concile ne peut se prolonger indéfiniment. Il n'y a au fond qu'une question devenue urgente et inévitable, dont la décision faciliterait le cours et la décision de tous les autres, dont le retard paralyse tout. Sans cela rien n'est commencé, ni même abordable; avec cela tout peut marcher et se conclure.

[13] Mourret, *Concile*, p. 135.

[14] Ibid.

April 4. I am glad to say that milder counsels seem again to be getting the ascendancy about *the* question. The 130 writings sent in on that subject, some signed by considerable numbers, have had a wakening effect. The discussion can't possibly begin until towards Pentecost, if things are to go on in their order. Scarcely can it come on before Pentecost, or not much before. Meanwhile, I hope a compromise will be effected. I hear the Pope has said he thought it was more ripe for definition.

April 19. A most remarkable pamphlet on the infallibility question, in folio 63 pp. in double column [by Ketteler of Mayence], has just reached the hands of the bishops. It was detained fifteen days at the Post Office; a remonstrance was made to Cardinal Antonelli, and it was let go. I believe the argument was that no opposition was put to the circulation of pamphlets amongst the bishops, not printed in Rome, but that the Government could not lend its services to their circulation. Hefele has published a pamphlet on Honorius which I do not think fairly grasps the breadth of the question. Cardinal Schwarzenberg has published, or rather circulated amongst the bishops another pamphlet, which is partly on the same line as Ketteler's and full of suggestions, but has not the same power as the other. The sign which these two productions hold out is a certain approach towards a moderate and modified definition. I have been trying to put my own ideas on the middle term on paper, but only for my own use. There has been a marked turn towards moderation for a week past, and the *Civiltà* has come out without a single article, such as made the last number a caution to all moderate men who feel what is the spirit of the Gospel, and what it is for religious men to set an example that justifies the coarse polemics of the newspapers. I do not see much of Cardella, or I should tell him a piece of my mind.

Everybody asks me how Dr. Newman's letter got out. Of course the infallibilists regret it, the oppositionists admire it, and it has had a certain influence in combination

with other demonstrations in urging in the direction of prudence.

April 20. To-day a cardinal informed me, through a third person, that the Pope has decided on bringing on the infallibility question after the Session, the first thing, and out of its course. The reason is that there is so much agitation in the world and in the episcopate about it, and that it would be very inconvenient for the episcopate to return to their sees after the suspension of the Council with this agitation and suspense to deal with. I think he is right, as matters stand. Pamphlets continue to pour out, printed abroad and distributed here, on both sides of the question. Two very clever ones have just come out, one from Bishop Ketteler, the other from the Archbishop of Malines. I see my own course very clearly, thank God, and am in full peace about it. I stand for the scientific definition perfected by theology, the result of three hundred years of scientific thought, familiar in our theologies, and with all its scientific limitations and conditions already complete and ready in hand.

April 24. The question of the Little Catechism comes on for its second discussion, after being reformed in the deputation of discipline, next; and when that is finished, the Pope is determined to bring on the great question out of its turn. The world will soon hear a great deal about it. Whether it should come on now or in its turn has been the subject of a good deal of diplomacy and representation. But the *zelantes* have carried their point. And no doubt the Pope feels that the sooner the excitement about it is over the better for the peace of the Church. The schema has got out into the world, and it is certainly not in the form in which any definition will be made. So that is doing mischief.

How this momentous change in the order of procedure was

brought about, is told in the Diary kept by Senestréy of Ratisbon, of the proceedings at the deputation *de Fide*.[15] Before the Council had been long at work it became apparent to all that if things took their normal course, the second part of the Constitution on Catholic Faith would take up the whole time of the Council until the prorogation in the summer; then when the Council met again in the early winter, the first part of the schema 'de Ecclesia', the portion on the Church herself, would take up the time till Easter, 1871, for an enormous crop of amendment had been put in by the bishops; so that not for a whole year could the chapters on the Papacy be taken in hand. Thus those who looked on the settlement of the controversies on the Papacy as the vital issue of the Council, the thing that mattered most of all, saw with dismay this issue receding into a distant and dim future. And so in the course of March a number of petitions began to go into the Cardinal Presidents, and to the Holy Father himself, praying that the question of the Papacy might be given precedence, and be taken immediately after the enactment at Easter of the first part of the Constitution on the Catholic Faith. Eight such petitions went in, signed by nearly two hundred Fathers, one by the Archbishop of Cashel and eleven of the Irish bishops.[16]...These petitions naturally called forth a number of counter-petitions from the Minority; in this case reinforced by a weighty petition from a number of Italian bishops, who while declaring their full belief in the doctrine of papal infallibility and their hope that it would be defined by the Council, still were moved by grave considerations to urge that the order of business be not altered, but that the Constitution on Catholic Faith be completed, and the chapters on the Church be taken before the chapters on the Pope. This representation bore influential signatures: the Cardinal Archbishop of Pisa, another cardinal, bishop in the Papal States, the Archbishop of Florence, two other archbishops,

[15] Mansi, v (53), 276; *Lac* 1695. It is without name, 'by one of the deputation *de Fide*'; but it is unquestionably Senestréy's (see Manning's note, Purcell's *Life*, II, 454), and a note in Mansi assigns it to him.

[16] Mansi, III (51), 703; *Lac* 968.

and thirty-five bishops; and Cardinal Pecci privately urged the same.[17]

The Cardinal Presidents of the Council were adverse to the idea of changing the order of the debate, and wished the second part of the Constitution on Catholic Faith to be proceeded with; and this was the mind of Cardinal Bilio, the president of the deputation *de Fide*: in fact, he made the deputation give up ten sessions to the remodelling of the second part of the schema, but their work never came before the Council.[18] After having tried in vain during Holy Week to induce Bilio to bring the matter of the Roman Pontiff before the deputation *de Fide* at once, in order that it might be introduced at the Council straightway after the Public Session to be held on Low Sunday, April 24, the inner group of nine or ten bent on securing the definition, Ullathorne's 'zelantes', Manning and Senestréy foremost among them, approached the First President, Cardinal de Angelis, who made it clear to them that the Presidents adhered to the view that the infallibility should not be taken out of its turn. On this, they decided to appeal directly to the Pope. This they did, on Easter Tuesday, April 19, and received from Pius the assurance that he would do what seemed right—'quod congruum videretur'. They were under the impression that the Pope gave an instruction to the Presidents that same day, and so was the cardinal, who spoke to Ullathorne the next day (p. 296); for all that, they found that at the sessions of the deputation on April 21, 22, 23, 25, 26, there was no sign of getting on to the Roman Pontiff, Bilio keeping them at the second dogmatic constitution on Catholic Faith. They chafed impatiently under this, for they did not feel the urgency of definitions concerning the Holy Trinity and the Christian Mysteries, while they saw the question of the hour receding into the distance, and out of view of any possible treatment that year. So they got up a petition, signed by nearly 100 Fathers, praying the Holy Father to order the schema on the

[17] Mansi, l.c., 714; Ollivier, *L'Église et l'État*, II, 258.
[18] Mansi, V (53), 230; *Lac* 553.

Roman Pontiff to be brought on at once (April 23).[19] This he did, with immediate effect, so that on April 27 the deputation *de Fide* got to work on the Roman Pontiff, and at the General Congregation of April 29 the Presidents announced that the question of the Roman Pontiff, his Primacy and Infallibility, would take precedence and come on forthwith. The announcement called forth a letter of thanks to the Holy Father from those keenest for the definition, and a protest against the change of order from seventy Minority stalwarts.[20]

At this juncture Moriary wrote to Newman, April 28 :

I have long delayed this letter. Day after day I expected to have some insight of the future. We are still in the dark. A deputation on the part of 400 bishops prayed the Pope to bring on at once the question of the infallibility. They say that he promised it should be done. This morning we arranged for a counter-deputation. The Archbishop of Kalocsa (Haynald), Ketteler of Mayence, Archbishops of St. Louis and Cincinnati, Archbishop of Albi, Bishop of Autun, Bishop of Ivrea, Dr. Clifford and myself, are to try if we can get a hearing to persuade the Holy Father to put off the question to next year. Speaking 'secundum hominem' I would say that neither time nor place are suited for a General Council. The Pope, the bishops of Italy, of Spain, of Mexico, are smarting under a sense of recent wrong done under cover or pretext of those great principles of liberty of which we in England and America are enjoying the blessed fruit.

Nor does the place suit. The presence and presidence of the Romanus Pontifex necessarily takes from the Council the 'pouvoir constitutif', we cannot be 'une assemblée constituante' : we have only the power of discussion and opposition and declamation.

But under all circumstances, we must not forget the 'Ego vobiscum sum omnibus diebus', and this implies

[19] Mansi, III (51), 722 ; *Lac* 977.
[20] Ibid., 724 ; 979.

'omnibus locis'. My prayer is 'Non mea voluntas nec mea mens, sed Tua fiat'. If it is in the secret counsel of God that the infallibility should be defined, there must be not only truth in the definition, but also some great need of it which we do not foresee. But seeing only, and not foreseeing, some of us are resolved to oppose to the last hour—to the final 'placet' of the Pope.

This phase of the Council may be closed with a personal letter addressed to Pio Nono by the Bishop of Orleans and the Pope's reply. Dupanloup wrote, April 23 :[21]

Most Holy Father :

My name is not pleasing to you ; I know it, and it is my sorrow. But for all that, I feel myself authorized and obliged, in the profound and inviolable devotion of which I have given so many proofs to Your Holiness, to open my heart to you at this moment.

The report is confirmed that many are soliciting your Holiness to suspend suddenly our important works and invert the order of the discussions, in order to bring before the Council on the spot, abruptly, before its time and out of its place, the question of the infallibility. Allow me, Most Holy Father, to say to Your Holiness : Nothing could be more dangerous.

This question has already set Europe on fire : the fire will become a conflagration, if by a violent haste it seems that, at all costs and by a change in the natural order of things forestalling the hours of Providence, the thing is being carried by assault. I would think I was betraying the Holy See and the Church if, knowing what I know, and foreseeing what I foresee, I did not utter a word of warning to Your Holiness with respectful but entire sincerity, Holy Father, while there is yet time, to spare the Church and the Holy See from evils that may become disasters for all Christendom during long ages, and cause the loss of an incalculable number of souls.

[21] Mourret, *Concile*, 270.

This is what makes a number of holy bishops tremble and groan unto tears.

[He begs the Pope to call before him representative bishops of the different countries, and bid them speak their mind freely ; it is the only way in which he can get to know the realities. To act without full knowledge would be to take, before God and man, the most appalling responsibility.]

Pardon, Holy Father, in one of the oldest and most faithful servants of Your Holiness, the episcopal and filial liberty he takes in writing this letter. His only desire, after love of Church and of souls, is again this time to serve Your Holiness, and to spare perhaps your closing days from the greatest sorrow that could break the heart of a holy Pope, that of seeing the Church on fire and her bosom torn by new schisms.

This letter with its impassioned appeal helps us to enter into the minds of those who opposed the definition. Happily such prognostications of evil have lacked verification : as also have the opposite optimistic prognostications, as Manning's, that the definition would bring Protestants crowding into the Church.[22]

On May 2 Pius wrote to Dupanloup :[23]

Venerable Brother : Your name is no less pleasing to us now than in the past, nor do we love you less, or esteem less than formerly the gifts that God has bestowed upon you. But our paternal affection for you compels us, when you are stiffly dissenting from most of your venerable brothers and from the greatest part of the clergy and Catholic people of the whole world, to warn you not to wish to be wise in your own eyes, or to rely on your own prudence ; for you know that all errors and heresies have arisen from the fact that their authors thought they were wiser than others, and would not acquiesce in the common

[22] Mourret, op. cit., p. 268.
[23] Mansi, IV (52), 1.

opinion of the Church. It is right for the Fathers at the Council to put forward clearly difficulties they think stand in the way of any definition; but it is not right to strive by all means to bring all over to one's way of thinking: especially as we know the Council is under the guidance of the Holy Ghost, and that nothing can be defined that is not true and revealed, or that is not for the good of the Church. We say this to you with all the more confidence, in that for many years we have known you to follow the simplicity of faith of believers, and to be quite differently minded than you are now. Return, brother, I pray you to that golden simplicity of little ones: cast away prejudiced opinions, which may obscure the holiness of your character, and which may make, if not pernicious, certainly useless for the Church those great gifts of intellect, alacrity, eloquence, with which God has so liberally endowed you for the extending of His Kingdom. Wherefor we beseech God to shine on you more brightly by His light, and by His grace to help you more powerfully; and as an earnest of His favour and a pledge of our especial benevolence, we bestow on you our apostolic blessing.

A truly paternal letter.

CHAPTER XIX

# THE CRUCIAL DEBATE: OPPORTUNENESS OF DEFINING THE POPE'S INFALLIBILITY

The public announcement was made on April 29 that the question of the Roman Pontiff's primacy and infallibility was to come on forthwith. However, the deputation *de Fide* was not ready with its revised schema until May 13, and the interval was filled up at the Congregations by carrying forward the schema on the Little Catechism through its final stages, so that it was ready for enactment, though never enacted (see Chap. XII).

The chapters of the schema on the Primacy and Infallibility, prepared by the theologians, had been in the bishops' hands since March 6, and by March 25 some hundred and forty sets of written comments had been sent in to the deputation, some very voluminous, and most composed with great care.[1] They had been digested and scheduled by the theologian consultors of the deputation, so that the animadversions were ready for distribution the day of the announcement, April 29. Ullathorne speaks of them the following day:

> April 30. The great question is fairly launched out, on paper at least. Yesterday was distributed a folio of 104 pp. containing, abridged, the proposed amendments sent in by Fathers on the Supremacy of the Vicar of Christ. To-day was distributed another folio of 242 pp. containing in abridgement, the proposals with their arguments of 132 Fathers, or groups of Fathers, on the question of Infallibility. Whilst these are being studied in the private rooms of each Father, the deputation *de Fide* is preparing its report

[1] Mansi, III (51), 929-1070. There were 140 documents, but several were joint products of groups of bishops, six, eight, ten, or more, signing them.

and reformed schema, based upon these documents. There is a surprising amount of learning and of shrewd remark in these documents, which will be of inestimable value for future times. When the Little Catechism is again reformed in our deputation upon the last discussion, it will be presented again, on Wednesday next, for the votes, after which the next thing will be the great discussion on the grand subject.

It was on April 27 that the deputation *de Fide* got to work on the schema ' de Romano Pontifice ' ; it sat daily until May 8, recasting the schema.[2] It was agreed that the text should be amplified—there had been complaints of its dry, juristic, theological character ; also that the Constitution should be in four chapters, with proem : the institution of the primacy, its perpetuity, its nature, and the infallibility. The theologians of the deputations made an elaborate report on the observations of the bishops, grouping them according to the chapters of the Constitution as recast.[3] This Report was of a pronounced Ultramontane hue, and was for the most part an answer to the objections and difficulties that had been raised. Naturally, alike in the Report and in the proceedings of the deputation, the matter of the infallibility took the chief place. The Report took up the position of the dogmatic theologian, that if from the two founts of Revelation, Scripture and Tradition (to be discerned in the acts of œcumenical Councils rather than in history), the doctrine of papal infallibility is seen to have been part of the original Revelation, any difficulties from history, etc., must be apparent, and not real. In all such cases it is to be considered whether the Pope really spoke as supreme and universal Teacher and Pastor and using his apostolic authority ; whether it really was a matter of faith or morals pertaining to the universal Church ; and whether it was truly and properly a definition or peremptory sentence. Of all the difficulties urged, four are singled out as having substance in them :

[2] Acts of Deputation, Mansi, v (53), 238 ; *Lac* 1678.
[3] Mansi, iv (52), 8; *Lac* 274.

the case of Pope Vigilius ;
the case of Pope Honorius ;
declarations concerning the Sacraments, especially Holy Orders, as the letters of Eugenius IV to the Armenians, and certain others :
the bull ' Unam sanctam ' of Boniface VIII :

references are given to authors, who, it is claimed, have met these difficulties adequately.

The precise wording of the infallibility definition led to much debate, indeed to lively controversy, at the deputation ; but this is held over for a subsequent chapter discussing the theology of the definition (Chap. XXII). On May 8 the deputation finished its work, and next day the recast Constitution along with the theologians' Report was circulated in print for the examination of the bishops.[4] The proem and the first three chapters, on the primacy, though amended a good deal in detail, were finally enacted substantially as proposed by the deputation ; but chapter IV, on the infallibility, was greatly changed, both in the preliminary portion and in the definition itself.

It was on May 9 that the proposed schema and Report were in the bishops' hands, and on May 13 the great debate was opened at General Congregation by Mgr. Pie of Poitiers, who acted as Relator in behalf of the deputation *de Fide* in introducing the Constitution—or in our parlance, was the Minister in charge of the bill.[5] It was an able exposition, moderate in tone, and used Bossuet on the primacy with great effect.

The general debate on ' the schema as a whole ' began the next day and went on for fifteen days ; it was really the decisive debate, for it turned principally on the crucial question of the opportuneness of defining the infallibility. The first speaker was Cardinal Partizi, the Dean of the Sacred College. He spoke in favour of the definition, and was followed on the same side by the Archbishop of San Francisco and two Italian archbishops. Then Rivet of Dijon made a long and strong speech against, urging that the

[4] Constitution, Mansi, IV (52), 4 ; *Lac* 269.
[5] Mansi, IV (52), 29 ; *Lac* 290.

definition of ' the personal and absolute infallibility of the Pope ', ' for that is what it really is ', would be intolerable for men of the present day, disastrous for the general good of the Catholic Church, and useless for the government of the Church. A Hungarian bishop followed in the same sense ; then a Spaniard and an Italian on the other side. At the next Congregation Dechamps of Malines answered Rivet, pointing out that the infallibility envisaged by the definition could not rightly be called ' personal and absolute ', because it belonged to an office, and could be exercised only under well-defined conditions, and in regard to truths contained explicitly or implicitly in the deposit of faith : infallibility is neither revelation nor inspiration. A good sensible speech. Next came three vigorous speeches against : David of St. Brieuc, Brittany, Greith of St. Gall, who could say he had suffered persecution and exile for his fidelity to the Holy See, and Hefele. Naturally he spoke of the Councils, and especially Chalcedon : If ever there was an *ex cathedra* dogmatic document it was Leo's Letter to Flavian. But at the Council all the bishops were called on to declare on oath if it was conformable to the Creeds of Nicaea and Constantinople ; therefore they were called on to judge of its orthodoxy, and the Fathers of the Council subjected the Letter to an examination as to its orthodoxy. (Here murmurs broke out, and the speaker said, ' Have patience ', and went on without further interruption.) It was not said to the bishops, ' Here is a dogmatic letter of the Pope ; hear it, and submit ' ; but rather, ' Hear it, and judge '. Some of the bishops thought it in three places suspect of heresy ; but no one said they were temerarious for doubting ; no one questioned their right to doubt. And so a fourfold argument against papal infallibility can be drawn from Chalcedon. He spoke also of Pope Honorius and the Sixth General Council. He protested against the idea of the Report, that the infallibility being a revealed doctrine, all historical facts that seem to oppose it are necessarily false or irrelevant : not so does the Church proceed in the Canonization of the Saints. ' I yield to no one in everence for the Apostolic See and the Holy Father : but I do

r

not think it lawful to proceed to a declaration of the infallibility. Bishops are witnesses, not arbiters of the Faith.' He had just produced a brochure on Honorius : it was open to anyone to question whether he had caught a fish ; but whether he had cast his net in the name of the Lord was known only to Him who is the Searcher of hearts. Probably the most impressive adverse speech.

The next day the Archbishop of Saragossa replied : in view of Quirinus' gibes, repeated by Salmon, at the ignorance of the Latin bishops, it is well to say that his speech bespeaks a very competent knowledge of the subjects in debate. He pointed out that so far from St. Leo's Letter being subjected to the free judgement of the Council the Pope had instructed his legates to allow of no change in it ; and in fact it was accepted without any change whatsoever. He spoke at length also of Honorius. Cardinals Schwarzenberg and Rauscher followed, both against. The former urged what was urged by several, that the Papacy could not properly be dealt with before the theology of the Church had been defined. He stressed the manifold dangers he foresaw, especially in his own Bohemia.

On 19th Cardinal Cullen of Dublin made a speech thirteen columns long for the definition—one of the grest speeches of the Council ; and he was followed, on the same side, by the Cardinal Archbishop of Valladolid. Then came the first Oriental, Jussef, the Graeco-Melchite Patriarch of Antioch. He was altogether opposed to the definition. It would directly hit the Orthodox Eastern Church for the first time, and would destroy all hope of reunion. The Florence decree should be re-enacted, nothing more. And the rights of the Patriarchs should be respected.

On 20th the current ran against the definition : Simor of Esztergom, Primate of Hungary ; John MacHale of Tuam, who made a long and very good speech : after dealing with theological aspects, he went on : The simple Catholics of Ireland, and he believed of other parts, did not think about or want these definitions ; they held the doctrine practically, having sucked it in with their mother's milk. Would it benefit those outside? Would it not rather be an obstacle

to them? Would it not raise controversies and troubles?

Darboy of Paris followed:

There being practical agreement on the matter of the primacy, it is the infallibility that is really in debate; it was not named in the bull of convocation or in the official documents of the Council, but was introduced by a demagogic agitation outside, so that the hands of the bishops have been unduly forced. Say what they may, the infallibility proposed is personal, absolute, independent, separate. The terms of the definition are vague and uncertain. The definition will not cure the ills of society and of the world. It should be enacted with the moral unanimity of the Council: should there be a substantial minority, the validity and authority of the Council will be exposed to doubt. (Signs of disapproval.)[6]

The next day was altogether in favour of the definition. Leahy, Archbishop of Cashel, opening, followed by three.

On May 23 there were two on each side, the Patriarch of the Uniat Armenians and the Bishop of Angoulème, *for*; Ketteler and Ginoulhiac, *against*. The next day the four speeches were *for*: a Spanish bishop deplored the action of defenders in saying the infallibility is not personal—of course it *is* personal as often as the Roman Pontiff wishes to teach the universal Church, it is just as certain that the Holy Ghost will be with him that he may not err, as it is certain the power of God will be with a priest who wishes to consecrate bread and wine. A Chilian bishop made a good fighting speech *for*.

May 25 was the day of Manning's great speech, one of the red-letter days of his life. He spoke first, introducing himself as the only convert in the Council:

> The Pope's infallibility *is* Catholic doctrine of divine faith, and all are already obliged to hold it; to question it is at least material heresy, for it is not an open theological opinion, but a doctrine contained in the divine revelation. In no way is there any doubt as to the Catholic doctrine of the Pope's infallibility. Does any one of us present here

[6] Darboy's speech is printed in full in Appendix to Qurinus' *Letters*. It is worth reading as a clear statement of the Minority position.

doubt the doctrine? I have not heard any such word. He then turned to England, and expressed the conviction, based on his own personal experience, alike in his own conversion and in that of the many converts whom he had reconciled, that far from proving an obstacle to the return of England to the Catholic Church, the papal infallibility would be a powerful attraction for those outside the Church. The religious Protestant mind in England desired an escape from the confusion and chaos of the innumerable sects, and the lack of any tribunal able to teach with authority: so far as England is concerned, the definition will more than anything else promote conversions and the return of the country to the Faith. The progress of Catholicism in England is to be measured not so much by the number of actual conversions, as by the progressive penetration, constant and visible, of the whole English people by Catholic ideas and Catholic truth, and the change of mental attitude that is being wrought thereby. He read a number of striking citations from leading secular newspapers, to the effect that all recognized the infallibility as the logical outcome of the Catholic system, and that to hold back from defining it would be a sign and source of weakness in the Catholic position. Nothing is so injurious to the spread of Catholicism in England as the doubts and controversies among Catholics on this matter of the infallibility. The shelving of this question at Trent had had disastrous results; worse would follow should the Vatican Council, after facing it, fail to speak with decisive voice.

The speech was one of the triumphs of Manning's life. In the autobiographical reminiscences of 1887 he says:[7]

I wrote the whole by myself, and afterward read it over to Bishop Cornthwaite and to Padre Liberatore [a Jesuit theologian]. They made no change in it. I had no knowledge of its length, which was 1 hour 50 mins. [12 columns of Mansi, IV (52), 249]. Before I got up I was nervous;

[7] Purcell, *Life*, II, 456.

but once up perfectly calm. I saw dear old Cardinal d
Angelis look in despair at the cardinals next to him, as
he thought I should never end. But the bishops neve
moved till I had done. Cardinal Monaco, who was at th
greatest distance, told me that he heard every wor
Cardinal Bilio told me since that the two speeches he like
best were Cardinal Cullen's and mine. This was perhap
a friend's kindness, but we both meant business, no
declamation.

The speech drew the warm admiration even of opponents
Kenrick of St. Louis printed a speech he had prepared t
deliver—'oratio habenda at non habita'—in which he said o
it: Magna animi voluptate audivi . . . lucidus rerum ordo
delectus verborum prorsus felix, gratia eloquii singular
summaque auctoritas et animi candor.[8]

After Manning came MacEvilly of Galway on the same side
He took occasion, however, to correct Manning's misstate
ment, that the Pope's infallibility was already an article o
Catholic Faith:

The declaration made in 1826, before Emancipation, b
the Irish and English bishops had been referred to, tha
the doctrine of papal infallibility was one which Catholic
were not bound to hold, and one which was not likely eve
to be defined as an article of Catholic Faith. He said: Thos
bishops made that declaration; and I also from this amb
make the same declaration, namely, that it is not of Catholi
Faith which all are obliged to believe under pain of heresy
that the Pope teaching *ex cathedra* is infallible; but by th
Providence of God, in a short time it will not be possibl
to say so from this or any other pulpit.

Later on in the debate it was pointed out by anothe
speaker that in 1820, and again in 1831, the Sacred Peniten
tiary had declared that the Gallican doctrine, though repro
bated by the Holy See, had never incurred any theologica

[8] Kenrick's oration is printed in full, Mansi, IV (52), 453-81: i
would have taken near four hours in delivery!

censure, and therefore could still be held as a free opinion,—though he himself never had held it. Clifford followed MacEvilly: He grew more and more persuaded that the authority and infallibility of the Pontiff could not be treated of apart from the authority and infallibility of the Church. The great bugbear of English Protestantism is the Pope, and the idea that he acts in the Church as a tyrant: no matter in what terms the definition of infallibility be couched, the popular belief will be that we have made the Pope a despot. (Murmurs and signs of disapproval.) He would cut short his speech. (Hear! hear!) Finally he urged that a round-table conference should be held between a few chosen representatives of the deputation *de Fide* and of the Minority, for an amicable discussion of the question, in the hopes than an agreed solution might be found.

This proposal had been made in one of the Minority protests, and though reasonable enough, had been refused by the Presidents as unnecessary. According to the Pope's idea the deputation *de Fide* should have been such a mixed tribunal; but it suffered incurably from the original sin of its composition, in that the self-appointed international committee of infallibilists had overridden the Pope's intention, and had engineered the election so as to exclude any representation of the Minority.

On May 28 spoke Verot, now translated from Savannah to St. Augustine, Florida. He had studied the question of the infallibility, not in the newspapers, but in history, and would begin at the first century. (Murmurs.) He began with the Acts of the Apostles, and worked steadily through the centuries. His exposition at many points provoked laughter: 'It is easier to laugh than to answer,' he said.

> It is true that the Irish believe in the Pope's infallibility; but they also believe in their priests' infallibility—and not only do they believe it, but they beat with sticks any who deny it. But will the Cardinal of Dublin say that they believe Hadrian IV was infallible when he handed over Ireland to the King of England!

This question should be studied in the monuments of the Church and the history of the Church, not in periodicals and newspapers. I say from this ambo to all editors of religious papers what I once said to one of them. He had been laughing at the practice of the Roman Church in blessing animals on St. Anthony's day, and when I defended it his answer was so absurd that I thought it right to answer a fool according to his folly; so I said: 'I will let you know the day on which animals are blessed in Rome that you may go and get a blessing, which you badly need. For the biggest brutes (maximae bestiae) that I know are the editors, especially the lay ones, of religious periodicals.' (Laughter.)

The Eminent President rang the bell.

Verot: Allow me a few moments. I conclude that the pontifical infallibility is not an apostolic tradition, but an opinion introduced by a piety and a zeal not according to knowledge. Therefore for me to give my vote for it would be a sacrilege—yes, a sacrilege. (Loud signs of disapproval.)

Cardinal Capalti: That should not be said; each one may abound in his own sense, but should not affix any note on those who think otherwise. Therefore I beg that if you have nothing more to say except jokes, there is no use your occupying the ambo any longer. (Many Fathers: 'Come down.')

Verot: It now only remains that I propose what seems to me a conciliation between the conflicting parties; and would that I could bring an olive branch into this august assembly! (Laughter.)

The President: I cannot allow this; it belongs to the special discussion, not the general. Please come down.

This episode is given at length, because I make a point of recording all the 'scenes' and all the interventions of the Presidents. Verot had trespassed on the patience of the

assembly, both in tone and in time—his speech was still longer than Manning's and must have taken a good two hours. It was by no means all fooling; but Verot laboured under a wrong notion of what was meant by infallibility—he brought up St. Paul's rebuke of St. Peter. He was no mere *farceur*, but was, as has been brought out in Chapter VIII, a fine apostolic bishop (see p. 114).

May 28, 30, 31 the debate went on, *pro* and *con*; the chief speakers *pro* were Spalding of Baltimore and the Archbishop of Utrecht; *con*, Purcell of Cincinnati and Connolly of Halifax. June 2 Strossmayer spoke for over an hour and a half: he foresaw that the definition would be an obstacle to the reunion of the Slavonic Orthodox Churches with the Catholic Church.

June 3 was the last day of the great debate. Gillooly of Elphin, Ireland, opened in favour of the definition, and Dinkel of Augsburg opposed. Domenec of Pittsburg, U.S.A., expressed his strong conviction that the definition would be an insurmountable obstacle to the conversion of Protestants in the United States, and implored the Fathers not to inflict so great an evil on the infant Church of the States; if there be no set-back, in thirty or forty years the number of Catholics will be greater in North American than in Italy; and they will be not mere nominal, but real practising Catholics.

President: Right Reverend Father, speak more prudently of the faithful of Italy.

Domenec: The only calamity that can destroy so fair a hope would be the dogma of papal infallibility.

The last speaker was Maret. Many signs of impatience were made—like the 'Divide, divide' of the House of Commons. He read a long speech of an hour and a half's duration, and was so deaf that he could not catch what was said, or the Presidents' rulings. It was probably the most definite expression of the Gallican position made at the Council.

When this speech was ended Fessler the Secretary mounted the ambo and announced that a petition from more than a hundred and fifty bishops had been presented to the Presidents,

that the general discussion of the schema was exhausted, and further discussion could lead only to waste of time and useless repetitions of what had already been said; they prayed therefore that the Presidents should use the power given them by the decree of February 20, and put it to the vote of the Council whether the debate should be closured.[9] The President in response to this decided to ask the Fathers whether they wished the debate to be continued, or no. 'Therefore let those Fathers stand up who wish the general discussion of the schema to stop.'

'By far the greater part of the Fathers have stood up, and therefore, using the power given us, we put an end to the general discussion of the schema.'

The Acts say: These words were received with general applause; but there were not wanting those who showed their displeasure both at the petition and at the decision (Mansi, IV (52), 440).

These dissatisfactions found expression the following day in a protest from the Minority:

> From the very nature of Councils it follows that the faculty of adding to one's vote the reasons on which it is based, is not the privilege of some, but the common right of all, above all, when it is question of a definition of faith. This right is exercised in the General Congregations; therefore the discussion cannot be closed by the vote of a majority without violating the right of those who were going to express their opinion. But this was done yesterday; and so, most eminent Presidents, we hereby signify and put on record our protest concerning the right of the Fathers to give the reasons of their vote.[10]

This protest bore eighty signatures of the most determined of the Minority. It was headed by the three Cardinals, Schwarzenberg, Mathieu, and Rauscher, and included several of the leading archbishops and bishops of Germany, Austria,

[9] The petition and signatures are in Mansi, IV (52), 441; *Lac* 984.
[10] The protest and signatures are in Mansi, IV (52), 444; *Lac* 986.

Hungary, France, Northern Italy, and North America.

This application of the closure—the only one—was one of the critical events of the Council, the one which more than any other gave rise afterwards to criticisms and attacks outside on the validity of the acts of the Council and of the definition of infallibility, on the ground that the closure was an unlawful suppression of rightful liberty of speech. That the Presidents were acting within the lines of the standing orders of February 20 could not be questioned; but the lawfulness and legality of the regulation was questioned, as in the protest.

The question of lawfulness was commonly held to be settled by the fact that the regulations were the Pope's. But it may be of use to consider the matter, looking on the Council merely as a deliberative and legislative assembly. In such assemblies, in parliaments, it has usually been found necessary to make provision for resort to the closure. And whenever the closure is applied, the minority closured always makes protests that it has been improperly muzzled and the due freedom of debate interfered with. This is mere human nature, and can be amply illustrated from the House of Commons. On this occasion some forty bishops who wanted to speak were put to silence. But sixty-five had spoken, thirty-nine in favour of the definition, twenty-six against. The debate had gone on during fifteen Congregations of some four hours each, and the speeches cover just four hundred folio columns of Mansi. This would surely be deemed a very ample Second Reading debate in the House of Commons —for this is in effect what it was;—and the Speaker would hardly be criticized, except by the closured minority, for an improper use of the closure. There is an unfortunate break in Ullathorne's letters from June 1 to 14, so that there is no record of what he thought at the time; but in the Pastoral on the Council issued in October he expresses his approval of the action of the Presidents, and says; 'The subject [of opportuneness] had become so completely exhausted that nothing seemed to remain that was not in repetition of what had been already adduced.' I feel sure that anyone who reads through the speeches will say the same. Certainly the

case for inopportuneness was fully and ably stated, nearly all the leaders of the Minority having spoken, even at great length: Schwarzenberg, Rauscher, Hefele, Rivet, David, Greith, Simor, Darboy, Ketteler, Ginoulhiac, Clifford, Verot, Purcell, Connolly, Vancsa, Strossmayer, Dinkel, Domenec, Maret.

Anyone who reads the speeches at this debate, the most controversial and crucial of all, cannot fail to be impressed by the high level that was maintained; the dignity and courtesy and temper and restraint; and also the learning displayed; above all, the patience of the Fathers and the forbearance of the Presidents.

Here follow Dr. Ullathorne's letters during May.

May 1. Had the special deputation this morning and finished its work on the Little Catechism for the General Congregation. The deputation *de Fide* also sat, for Sundays are like other days for these matters. They will meet the next two days morning and evening, ours in the morning only. On Wednesday we expect not only to vote on the Little Catechism, but also to receive the reformed schema 'de infallibilitate'.

It is now expected that the Council will not break up, but that after SS. Peter and Paul all who wish may leave for the hot months, and a certain number continue on the work of the Council until the reassembly, probably in November. Most people seem satisfied that the important question has come on. There has been so much discussion, and so many able productions have been circulated amongst the bishops outside the Council, that the matter is getting ripe, and it is thought that terms will ultimately be found that will unite all parties on one common ground; or if not, that the essential point will be avoided altogether. My impression is that we shall succeed in finding a common ground. In matters of faith every word, and the very order and connection of words, is matter of discussion and of great care; but in matters of discipline it is the substance of the law that is mainly attended to. In matters of faith there can be no real innovation, and the care is to prevent

that; whilst in matters of discipline there is a considerable amount of innovation. For the question is to fit the rule to a changed state of things. Free and friendly are the two qualities which more and more distinguish the bishops both in their general and in their particular assemblies. And of course those who belong to the same special deputation, whilst they discuss freely amongst themselves at the board, stand together in defending their ultimately joint work in public, that is, in the General Congregation. There each has the privilege, with leave, of getting up and replying to any bishop who opposes the form in which they have agreed to draw up the reformed scheme. I have never witnessed the least ill-feeling manifested between any two bishops who have spoken even the most strongly against each other's views from the ambo. And you see those who are considered the leading antagonists on even the gravest points, talking as cheerily with each other, and having their pleasant jokes, as those who are the most closely allied in sentiments. Clever and learned bishops see the whole fabric of their thoughts, efforts and aspirations, for months, perhaps years, in course of preparation, swept away by a few words from the exposition of a special deputation, which throw the great majority on the opposite side in voting; and yet you never see them changed in their manner, or showing any sign of discontent or impatience. It is certainly a most edifying assemblage, and tends to prove the maxim that bishops are in the state of perfection.

Another thing that strikes me is, that whatever criticism there may be behind the scenes amongst bishops of the same views, they fall upon the policy of the question, and not upon persons. Even the grumblings on slow or less interesting speakers falls upon the question of time, rather than on anything personal. The reverence for the episcopal character is deep in all minds alike.

Experience again has made everything methodical, and this combined with the new and very wise rules, keeps the speakers to the point. The world could not produce such

another assembly. And it is very worthy of remark, how, whatever objections arise and are debated at the first presentation of a scheme, somehow, and at times by what seems almost accidental, the right thing always turns up in the end.

To-day our first work of our special deputation was put to the vote in General Congregation; first the amendments by rising, then the 'placet', which always of itself for a single 'placet' takes an hour and a half. It took us from 9 to 1, including a Greek Mass, to put the schema to its test. But certain 'non placets' and 'placets iuxta modum' will send it back to us for reconsideration once more on this or that point, notwithstanding the hour consumed by a member of the deputation to explain the grounds of our accepting this, or rejecting that. So after another sitting there will be yet another voting.

The great question is not yet ready for its second stage, the special deputation *de Fide* working always, but keeping us waiting. Meanwhile our deputation is now to be every day at work, when there is not a General Congregation, from 9 to 12, but our place of assembly is changed from the Vatican to the Palace occupied by our president, Cardinal Capalti. We are very busy about what concerns Bishops, Vicar Generals, and Provincial and Diocesan Synods at present. But it will be long before our work can come for a second discussion before the General Congregation, as the great question is bound to occupy us until we get leave of absence at the end of June.

The pamphlets on the infallibility, for or against, are still the order of the day here, and forces are being mustered for the great debate. Bishops have been summoned by their brethren from Germany; American bishops, who have leave to depart, are waiting to see it begin, and the Bishop of Shrewsbury also. The number who voted this morning was 591, a considerable number being absent.

May 8. The deputation *de Fide* have at last completed the revised schema on the Infallibility, and it will probably

be printed and in the hands of the bishops by to-morrow night, and the discussion will commence before the week is out, by Thursday or Friday.

The Oriental bishops, on the plea of being left to their own rites, turn out here at a function of the Council in all sorts of colours. When the Westerns are all in white, one will be in purple, another in pink, another in richly-flowered brocade on a white or sea-green ground; and the same prelate appears sometimes in one, sometimes in another of these colours. There is a burly, good-natured Hungarian Greek bishop, who seems to have a new costume in shape as in colour almost on every occasion. One day he is all purple like a Western; another day he is in red velvet with a velvet round hat without a brim, the red embroidered with gold flowers; another exhibits him in flowered brocade with a flowery crown shaped like that of the old Emperors of Constantinople; then again he appears in some other trim. But in all his shapes, he has a good-natured laugh and word for everybody. Not so the real Orientals, who are grave, and in ordinary dress wear dark blue, with some fur or red down the front, a red or purple belt, a turban broad as a hat over the ears, or a black tall hat of felt without any brim whatever, and a blue veil, or a black silk hood sitting close over the head with a gold star on it just over the brow. But wait until there comes a festival demanding cope and mitre, then come out their rich and many-coloured robes and crowns, and are very conspicuous amidst the plain and solid-looking white linen mitres of the West, which form the great masses of episcopal insignia.

There are sworn interpreters in the Council who remain near the ambo, take notes of all that is said, and report to such of the Orientals who do not understand Latin. If one such wishes to express his sentiments, they are translated into Latin, and read for him by some other Oriental bishop. But most of them educated at Propaganda speak both Latin and Italian.

There is talk of our prolonging through the hot month

of July, and certainly when we begin the long expected subject, it won't do to leave it half-finished, and all the Church in a suspended condition as to the ultimate result; cool and confident as some of us may be here, that all will come quite right in every point, those who are at a distance are left a prey to the newspaper and pamphlet writers, and to their own imaginations. For in matters of this kind, distance instead of diminishing is a great magnifier and distorter of the objects that come before the mind and interest the heart. Upon us here, though things seem so calm, nevertheless we shall begin to realize the tension and strain there has been only when we get away from it, just as people do when they have long been watching a crisis in some dear friend, and feel no conscious fatigue or strain until all is over.

There were a hundred opponents to the reformed schema [on the Little Catechism] presented from our deputation for the third time to the Council last week, and to-morrow it will be the lot of this twenty-four to examine the objections which forty-four of them have sent in writing, and see what we can do, and what we cannot do, to meet the wishes and views of opponents. But as this is the final revision before the final voting on the subject, I leave you to guess if it be not rather delicate work.

Here may be intercalated a letter from Moriarty to Newman, which again helps to reveal the real mind of the Minority :

May 14. Should the papal infallibility be defined you will render a signal service to the Church by writing in support of the truth of the doctrine, for the opportuneness will then have ceased to be a question.

As far as human calculations can guide us, the Council will proceed to the definition, but the Providence of God may prevent it by means we cannot foresee. If God does not interfere, we must acknowledge that the result will be His Holy Will.

The authorities will carefully avoid interference with the liberty of speaking or voting. If we are overwhelmed

it must be by a majority of our own brethren in the episcopacy. On the other hand, if the Pope's cause has been damaged by the intemperate advocacy of the *Civiltà*, *Univers*, and *Tablet*, we have been damaged also by some of the pamphlets on our side. Some of our friends have not written 'cum moderamine inculpatae tutelae'. They furnish our adversaries with arguments for the necessity of an immediate definition. Let us all pray, 'Dominus dirigat corda nostra et intelligentias nostras'.

Ullathorne again:

May 15. The discussion on the Infallibility was opened by Cardinal Patrizi, the senior cardinal. The first days of discussion being on the general schema, not on particular points, which follow after, are dull and somewhat drowsy. One French bishop made a great stand the first day on the opportuneness. One of my Benedictine brethren, a Sicilian, bored us for an hour, as if he were working with an auger through dead timber.

But the exposition on the part of the deputation *de Fide*, with which the reformed schema was introduced the day before by the Bishop of Poitiers [Pie] was a masterpiece, both of pith, learning, and apology. I hear the Germans and Hungarians are prepared with a counter definition so soon as the conflict becomes close and on the point. Eighty-five speakers were inscribed the day before the discussion opened, not to speak of those who will be added in the progress of discussion.

May 17. On Saturday, 14, began the great debate, but after the Expositor of the schema had delivered his fine oration the day before, and after Cardinal Patrizi, the senior of the Sacred College, had delivered a graceful and feeling discourse, the rest of the speakers that day did the work of *augers*, mind not augurs, they were very *boring*. To-day compensated. It was the real beginning of the debate; four of the ablest men spoke amidst profound silence; they

were very earnest, but with a very deep sense of their responsibility.[11] Eighty-one speakers were inscribed the day before the discussion opened. Of these four only filled up the 3½ hours allotted to speaking to-day. Thirty-one new speakers were inscribed this morning. We shall have a third of the Council on their legs before the discussion is over; that is evident already.

Meanwhile the piping hot weather has set in, though it is cool in St. Peter's; the windows are all open, mattings on outside, and shutters to inside. It is wonderful how a mere inch breadth of light suffices in a room in Rome all day at this heated season. Many bishops are getting leave to go home, unable to stand the heat, or pressed by affairs. Two more of our bishops are getting their petition ready and their medical certificates. I am quite well so far.

A rather good thing was said yesterday in our carriage by the Bishop of Treviso. I told it to a group of bishops on entering the Council this morning, and they wanted at once to get it put into action. It is a simple remedy for a malady to which Councils of all sorts are subject: Let all those be fined proportionately who repeat what has been said before, and all those receive a medal, classed on the merits, who say anything really new or original.

The same day. After dining with the Bishop of Poitiers [Pie] to-day, we got into a room retired from the other Right Rev. guests, and had a very confidential talk in which he opened to me the whole policy of the deputation *de Fide* on the great question in debate. I found I had already divined it, but it will be of great value to be certainly informed by one of the most leading men in it. I now feel certain with a sort of clear obscure prospect, as well as by faith, that ultimately all will turn out well, even in accord with my own judgement of what is desirable. Meanwhile we must have a great flood of discussion. 125 speakers

[11] The four were, Dechamps of Malines, David of St. Brieuc, Greith of St. Gall, and Hefele of Rottenburg—the first a champion of the infallibility, the other three prominent inopportunists.

are now inscribed, and if we exclude the Expositor of the special deputation who replies each morning, only three a day have hitherto spoken. To-day they were all cardinals.[12]

May 19. Cardinal Cullen spoke this morning for an hour and three-quarters, and kept every one alive and attentive to the end. He was followed by a Spanish Cardinal who read a paper so badly that all got tired. I was saved half of it, having an appointment that required me to leave an hour earlier than the close. From all I hear, things are tending behind the scenes towards a satisfactory settlement of the question, and opposing parties as to the terms of the definitions are beginning to hold private conferences for mutual explanation of difficulties. As more than twice the number are inscribed for speaking daily, than those who are able to speak in the time, it looks like an endless affair; but I think something will bring about an understanding that may cut it short after a time. I think myself that the opposition is in the order of Providence, both to ensure searching investigation, and a proper balance of expression in the decrees. I have exactly four words of my own whose insertion would, I think, go far to solve the difficulty, and those of either party to whom I have mentioned and explained them, seem to think they might; but the time has not, and may not, come to bring them forward, or it may. I think indeed that we are tending already to a better intelligence of the precise and definite bearing of the whole question. A definition there will certainly be, and at a distance nothing would seem easier to a theologian than to word it; but with the rapidly accumulating knowledge that springs up in the conflict of minds and the very varied local bearings of the question with respect to different regions, the same theologian, were he here, would find his cleverness considerably tamed.

[12] Schwarzenberg of Prague, Rauscher of Vienna, against, and Donnet Bordeaux, for the definition.

May 20. Very able speakers to-day. I do not say o which side, but they were the Primate of Hungary [Simor with his eloquent and easy latinity (*against*); Archbisho MacHale, the oldest prelate, as a prelate, in the Counc dating from Leo XII (*against*); the Archbishop of Par (*against*), and the Archbishop of Corfu (*for*). Yesterd also spoke the Patriarch of Antioch (*against*), when I w absent. Ten more names inscribed to-day. Liberty speech is complete. No interruption from the Emine and Rt. Rev. audience. But when you get out into th adjoining chapels, and listen to the groups there, or in th refreshment rooms, you feel and see what the discussio is working, and understand what effects it is producing o parties, persons, and policies. Another index is th features of the audience, the whispered conversations those who fill the benches, knowing beforehand somethin of their several views, and the demeanour of the fi Presidents.

May 21. To-day the Archbishop of Cashel [Leah made one of the most clear, solid, and luminous speech yet heard in the Council. Three speakers followed an seven more were inscribed, leaving at this moment sixt five speakers still inscribed to speak on the general questio before coming to the chapters in detail.

To-morrow, Sunday, will be held special deputation and on Monday the general debate is to be resumed. Th understanding seems to be that this question must be co cluded for good and all before we separate.

May 23. Meanwhile the great debate goes on in th Council, day after day, and as there are still a hundred so inscribed to speak on the general question, even befo coming to the chapters in detail, and only four speakers c be heard a day, and about three times that number more a inscribed every time we meet, the prospect of a conclusio is long away out of sight. One of the very ablest speech yet made in the Council was delivered Saturday by th

Archbishop of Cashel. To-day we had a long one on the Oriental bearings of the question from the Armenian Patriarch Hassoun [*for*]; and after that a vigorous speech from the celebrated Bishop of Mayence [Ketteler, *against*], a very devout man, who lost part of his nose in a duel when an officer in the army, which is still visible in its effects on his otherwise remarkable features. Everybody says, When shall we get through this question? yet almost everybody wants to speak upon it. I think myself I have something to say that may not otherwise be said, yet every day's lengthening list makes me shrink more and more from putting down my name. Never perhaps did a question get such a sifting on all sides of it, and through all the pores of it, as this will have before it is done with. And as to pamphlets, they still continue to come in, not less than three even yesterday came to my address.[13] And still they come, all free of cost, and sent by hand. For every kind of note on one side brings out two or three replies on the other, all at the cost of the writers, and to the gain of the Neapolitan printers. For though allowed to be circulated here, they are neither allowed to be printed here, nor to come through the post, that the Pontifical government may not be responsible for them.

May 25. To-day in Council three speakers, Archbishop Manning an hour and three-quarters, the Bishop of Galway [MacEvilly, *for*], an hour and a quarter, the Bishop of Clifton [Clifford, *against*], an hour. At this rate a month will not finish the general discussion, before even coming to any propositions on the details of the schema. But I find from a conversation with the Archbishop of Malines [Dechamps] to-day that negotiations are really going on between certain representative parties with the view of modification of the terms of the schema, so to put an end to this endless debate. And from another quarter, I hear that there is a move showing itself for a petition to close the general debate. But unless the deputation *de Fide* comes

[13] He says he received sixty such pamphlets (Pastoral).

forward with a proposal to withdraw and remodel th
schema, and give an outline of the plan of reform, I don
see how it is possible to bring the general debate to a clos
for some time yet. I met one of the leaders to-day unde
the glades of the Borghese gardens, one in all the secret
who rather dashed my hopes received from a great leade
on the other side this morning. And I knew that they tw
in the interval had had a private conference. Meanwhil
the bishops in the Council exhibit wonderful patienc
because, said a bishop two days ago, they all say Mass ever
morning. You thus get from my pen a little glimpse an
the actual intricacy of the position, such as I can give with
out betraying the actual secrets of the Council. For m
part, I am still perfectly satisfied, and believe all this to b
in the order of God's Providence. All roots and founda
tions are being examined, and light must come into them
A very able archbishop said to me to-day: 'Attende, c
videbis; post aliquod tempus, Dominus Deus interveniet

Simple as the question may appear at a distance, and t
those who think of it alone, no one but those in the midst
of the discussion in and outside the Council could imagin
the number of collateral and relative questions that it give
rise to and sets in motion, or how abstruse the difficult
of adjusting them. But as yet we have not even touche
its threshold in any practical sense. We are but soundin
the channel, and surveying its rocks and shoals befor
venturing to navigate it. I am perfectly convinced that
would be impossible now to recede without inflicting
serious wound on the Holy See, and so on the Church a
her heart; but how to keep the relative balance of th
powers that reign in the Church, and to bring out its tru
constitution, as Our Lord has ordained it from the first, s
that nothing in its teaching and governing powers sha
suffer loss or be overbalanced, is the problem before th
great Council.

After human means and wits have exhausted themselve
the Holy Ghost will settle the matter, and the prayers of th
Church and the good intentions of the toiling prelates wi

be rewarded. 'This hope is laid up in my breast,' I may say with the patient Job. Or, with David, 'I have believed and so have spoken.'

To-morrow will be the feast of St. Philip Neri, patron of Rome, and the Pope and all the world will be at the Chiesa Nuova; but we of the deputation on discipline shall be holding a session at the Palazzo Vacari, the residence of Cardinal Capalti, our President.

The weather is sweltering, and all the world is broiling. Bishop Turner [Salford] has got leave of absence on account of health and is going. Bishop Vaughan (Plymouth) is about petitioning the Judges of excuses on the same ground, as medical men say he ought not to work himself in the heat. Bishop Clifford has grown very thin, though I hear not of his going. I am better in health than I have been for years, and I suppose I must stand on to the end. The Pope refuses to give leaves of absence himself, saying he is found fault with for it. The Judges of excuses are very strict, yet half a dozen cases are put to the votes of the Council by them about once a week. And the benches are beginning to look thinner than they used to do, though I suppose we would still muster six hundred votes.

The same day. The great question is debated daily, and daily new names are put on the list, and that still for the question *in genere*. Then someone for the deputation gets up daily, and occupies a third or fourth of the time. To-day Dr. Manning got up for the deputation and occupied an hour and three-quarters, obviously anticipating Clifford, who was to speak also this morning. Then came the Bishop of Galway for an hour and a quarter. Then Clifford for an hour. The controversy gets wide and wild and involved. But meanwhile there are more hopeful things behind the scenes. For a week past conferences have been going on between Orleans, Malines, Simor [Primate of Hungary], the Archbishop of Saragossa, the Bishop of Ratisbon, and other French bishops on the other side, tending to an accommodation. I spoke to Malines

this morning, who assured me that a plan was almost matured for an accord, and he told me some of the details. I think they would do, if they can be carried out. And I understand they are approaching near to being brought forward.

The attendance at the Council thins, and with the prospect of a month longer on the question *in genere*, something must be done.

It grows hotter and hotter. Dr. Turner leaves directly. Dr. Vaughan is sending in his certificate, and Bishop Clifford is getting very thin. Dr. Manning asked Amherst whether he and Dr. Clifford had not better go home.

On June 1 died Bishop Grant of Southwark. On that day Ullathorne wrote the long panegyric on his close friend, printed in the volume of *Letters* (pp. 243-9). And on the same day he wrote to Newman ; after repeating some portion of what he had said in the other letter, he turns to the affairs of the Council :

We are in the thick of the discussion on the great question : fifty have spoken on the general question and as many more wait their turn; and yet when that is over, even though no new speakers be added, we are as far off as ever. For until the general debate is ended, we cannot come to the express terms of the schema, or propose any modifications in it. For my part, I don't think the bearing of the question upon other questions is yet fully understood. And I should like to put one or two crucial questions ; but then, to wait perhaps for a month before you can get into the ambo ; and who knows how things will stand then !

Strong efforts have been privately made by conferences of members to bring things to an understanding, but hitherto without success. Still it is pretty well understood by all parties that there is to be a recast of the schema. The number of pamphlets goes on increasing—I received three on last Sunday and two more the day following.

I think I shall not really transgress the secrecy imposed whilst telling you *in genere* that an Italian prelate quoted one of your Protestant books, and also some replies you made in the schools of Propaganda, in support of his views, and that with strong expressions of regard towards yourself, their object being to show your personal sentiments towards the infallibility. I listened of course with attention and compared notes with those under the ambo ; but there was nothing said that a friend would have wished to have been unsaid, or which was not said in a friendly spirit. And indeed I may add that I have heard nothing from bishops even in private respecting your letter to me, except regret that by the injudiciousness of a third person, it should, being so confidential, have got published.

We cannot break up leaving this question in suspension without serious evil following, but when we shall come to a close no one can say.

The feeling expressed in these last words was tersely put by one of the bishops : ' Quod inopportunum dixerunt, necessarium fecerunt ' : ' By declaring it inopportune, they have made it necessary.'

CHAPTER XX

# THE PRIMACY DEBATE

The Second Reading debate, on the 'schema in general', having been closured on June 3, the Committee Stage of the discussion on the Papacy—for that is what in effect the 'special discussion' was—began on the 6th.

As the questions of the Papacy are to this day of very real and living interest, and importance in England and in all English-speaking lands, indeed in all Protestant and Eastern Orthodox countries, it will be worth while to bring out clearly the issues debated among the bishops at the Council: and first, in the present chapter, the Primacy of the Roman Pontiff. Though at the time of the Council it was the infallibility that raised the greatest storms, alike outside the Council and in, and still at this day is the great bugbear of the Protestant mind, I cannot help thinking that the matter of the primacy, as defined in the third chapter of the dogmatic Constitution of July 18, in reality presents much greater difficulties to non-Catholics of all kinds, much greater obstacles to that united Christendom in communion with the Apostolic See of Rome and its Bishop that is in our day increasingly the dream and the object of prayer and of strivings of countless men of good-will still outside that communion. And so it seems to me that the matter of this present chapter is of singular importance. Accordingly, the original chapter of the schema 'de Ecclesia', distributed on January 21, and animadverted on by the bishops in written statements during March, will first be given:[1]

Chapter XI, Schema *de Ecclesia*, 'On the Primacy of the Roman Pontiff.'

To secure in His Church perpetual unity in faith and in

[1] Mansi, III (51), 543; *Lac* 571.

communion, Christ established in Blessed Peter a perpetual principle and visible foundation of this twofold unity, as He immediately and directly promised and conferred on him a primacy of jurisdiction over the universal Church.

The Petrine texts.

Accordingly we condemn any who deny that Peter by himself, above all the Apostles, whether individually or collectively, was endowed by Christ with a true primacy of jurisdiction : or who affirm that his primacy was not given immediately and directly to Peter, but to the Church, and by the Church was handed to Peter as her minister.

Jesus Christ established this primacy in Peter for the perpetual good of the Church, and so to go on till the end of the world. Therefore Peter always lives, presides, and exercises judgement in his successors, the bishops of the Roman See ; so that whoever succeeds him in that see holds according to the institution of Christ, Peter's primacy over the universal Church.

Lyons II and Florence cited, as in Constitution, c. III, § 1.

We declare that this power of jurisdiction is ordinary and immediate, to which pastors and faithful of particular churches are bound by the duty of hierarchical subordination and true obedience. We condemn any who affirm that the jurisdiction of the Roman Pontiffs is not ordinary and immediate both over all the churches together, and over individual churches of particular pastors.

The three canons, XIV, XV, XVI, are practically the same as those attached to the first three chapters of the Constitution finally enacted.

The bishops' Observations on the Primacy were scheduled by the theologians of the deputation *de Fide*. The Analytic Synopsis made a folio volume of 104 pages : it is printed in Mansi.[2] As many as 140 documents had gone in, many of them joint productions of groups of bishops, ten, twelve, or more signing them. They are scheduled under eighty-eight

[2] III (51), 929-72.

numbers. In crucial places the authors' very words are reproduced, and no one who reads them will doubt that they are a fair presentation of the documents, and by no means caricatures, as Salmon insinuates.

The leaders of the Minority are well represented: of the Germans, Schwarzenberg, Rauscher, Greith, Ketteler, Haynald, Strossmayer, Tarnoczy, Melchers, and the rest; of the French, Dupanloup, Ginoulhiac, David, Dupont des Loges, others.

After reading through the Observations I am prepared to state that there was not any single case of questioning the primacy in itself or in its implications, even in the strong form set out in the schema. There were demurrers to the use of the terms 'immediate and ordinary' applied to the Pope's jurisdiction over all the churches and all the faithful, but on the ground that they were liable to be misunderstood: the fact was not questioned; nay, it was accepted by all, as the meaning of the charge to St. Peter in John xxi, whereby our Lord, the Good Shepherd, appointed St. Peter, and him alone, to be shepherd-in-chief of the whole flock, with a universal charge to 'shepherd' and to feed both lambs and sheep, and so to rule the universal Church with pastoral jurisdiction over every member of it, pastors and people alike.

The brunt of the criticisms was the apparent ignoring of the episcopate in the whole handling of the theology *de Ecclesia*: here, it was said, is a summary of Catholic doctrine on the Church in which there is no account taken of hierarchy, episcopate, ministry, œcumenical Councils: simply Church and Pope. 'We are stupefied' (stupefacti sumus), said one. And so there was a general call, joined in by many of the Majority bishops, especially Italian, for a new chapter in the schema, on the Hierarchy or the Episcopate, defining the Catholic doctrine on the status, jurisdiction, rights, powers, functions of bishops as the successors of the Apostles.[3] In

[3] Though it never came before the deputation or the Council, a revision of the first portion of the schema 'de Ecclesia' was made by the Jesuit theologian Kleutgen, in view of the bishops' criticisms. It was drastically recast, and a chapter on Hierarchy and Bishops was introduced (Mansi, v (53), 308).

particular it was urged that the 'immediate and ordinary' jurisdiction of the Pope in all dioceses should be so explained as to make it clear that the bishops are not vicars or delegates of the Pope, but exercise immediate and ordinary jurisdiction in their dioceses, the Pope's jurisdiction being 'ordinary' in the canonical sense of the word, in that it is not delegated, but not in the popular sense of being usual. A paragraph, it will be seen, was introduced meeting these representation. A few representative utterances of Minority stalwarts will make their position clear, and will serve to show how grievously Quirinus misrepresents them.

Rauscher of Vienna: It cannot be denied that the Supreme Pontiff has the power in any diocese of doing the things that belong to the bishop. But to avoid misconceptions it ought to be called extraordinary. [Connolly of Halifax suggested 'super-ordinary'.]

Haynald and Hefele associated themselves with Dinkel of Augsburg in urging that 'immediate and ordinary' be deleted, and the following substituted: full power, which he can exercise not only in extraordinary cases, but always, alike on all the faithful and on the bishops of the whole Church.

Tarnoczy of Salzburg: The formula 'immediate and ordinary jurisdiction' is most true if rightly understood, but liable to be misinterpreted if not made more clear.

Melcher of Cologne: The Supreme Pontiff without doubt has supreme and full power over the whole Church and over each and every part of it; but it should be exercised saving the rights of the bishops. The jurisdiction of bishops is immediate and ordinary, received from God, each in his own diocese; but is so subordinated to the Roman Pontiff that his supreme power of jurisdiction over every single part of the universal Church is immediate and ordinary.

This will suffice for the Germans; now the French:

Dupanloup : That the Pontiff has ordinary and immediate power over each and every church, is true and not open to doubt, in the sense that this power is his own and not delegated, and certainly may be exercised of itself and directly ; but it should not be brought into play usually, so as not to interfere with the bishop's immediate and ordinary jurisdiction.

Ginoulhiac of Grenoble : In a canonist and theological sense the Roman Pontiff may be said to have ordinary and immediate jurisdiction over every single diocese, provided it is not taken to mean that he is the only real bishop of all the churches, and the others only improperly called bishops.

A group of ten French Minority bishops, among them Dupont des Loges of Metz, suggested the addition : We teach and declare that the power of jurisdiction of the Primacy, which is proper to it, is ordinary and immediate over all, and may be exercised directly, without seeking anyone's consent.

It is of first importance for the understanding of the attitude of the Minority to make it clear beyond possibility of doubt that there was no disposition on their part to question or to minimize the nature and the extent of the jurisdiction and powers inherent in the Primacy.

As has been recorded (Chap. XIX), the Analytic Synopsis of the bishops' Observations had been circulated April 29, and the deputation *de Fide* had considered them and had produced a reformed schema on the Roman Pontiff, circulated May 9.[4] It consisted of a proem and four chapters ; three on the Primacy, its institution, perpetuation, and nature ; and one on the Infallibility. After the close, on June 3, of the general discussion of the schema as a whole, the special discussion of the text, chapter by chapter, began on the 6th. On that day the proem was taken, and six Fathers spoke proposing amendments, which had to be handed in in writing. The Presidents found it difficult to confine the speakers to

[4] Mansi, IV (52), 4 ; *Lac* 269.

amendments of the text; they were prone to launch out into speeches on the general question. One, a strong infallibilist, tried the patience of the audience by an elaborate disquisition on the Petrine texts: 'Let us read the Gospels' (murmurs, and 'get back to the proem'). After some time, 'I omit the rest' (voices, 'Deo gratias'!).

The emendations to the proem were scheduled by the theologians,[5] and on June 9 were distributed, and that same evening were considered by the deputation *de Fide*. They were seventeen in number. Two wished the proem to be completely rewritten and suggested new forms. The deputation decided to propose the addition of the passage 'Quemadmodum . . . conservaretur' of the decree as finally enacted; for the rest, they accepted a few of the emendations and rejected most. On 13th Leahy of Cashel exposed at the General Congregation the reasons that had moved the deputation to accept some and reject others. They were then put to the vote (by standing up) one by one, and in all cases the decision of the deputation was confirmed by large majorities.

Chapters I and II got through with little difficulty. They were concerned with the institution of the Primacy by Christ in St. Peter's person, and its perpetuation in the Bishops of Rome as the successors and heirs of St. Peter. On all this there were no two opinions among the bishops, and a single day, June 7, sufficed for the discussion. One speaker embarked on a dissertation on the Old Testament types of the Church; pre-Mosaic, Paradise, Eve, the Ark, the wives of the Patriarchs. When he started on the Mosaic type signs of impatience were heard, and the President intervened: 'Pardon me, Rt. Rev. Father, you are wandering too far; and so we and all the Rt. Rev. Fathers beg you to get back to the point.' The few amendments proposed, nine in all, were quickly scheduled and circulated, and considered by the deputation,[6] and on 15th they were dealt with at the Congregation and voted on, the recommendations of the deputation

[5] Mansi, l.c., 628; *Lac* 301.
[6] Mansi, IV (52), 701; *Lac* 312.

being adopted by overwhelming majorities; a few small amendments were accepted.

To finish the case of this portion of the schema: on June 28 were circulated the amended form of proem and chapters I and II incorporating the alterations voted on 13th and 15th; on July 2 the three texts were put to the Congregation and voted on, one by one, and were all passed practically unanimously. In this form they were put before the final Congregation as part of the entire decree for the crucial trial voting of July 13.

Chapter III was entitled 'De vi et ratione primatus Romani Pontificis', defining the nature of the primacy. It gave rise to considerable discussion, carried on during five Congregations, thirty-two Fathers taking part.

Although for the Catholic Church herself, for those in communion with the Holy See, the fourth chapter, on the Infallibility, was the most crucial and the most controversial issue, I have already expressed the belief that for others—the Orthodox Churches of the East, Anglicans, and Western Protestants of all kinds,—the doctrine of the Primacy and its implications as set forth in this third chapter, is really the more important and fundamental. Therefore the matter is here set out in some fullness.

The debate issued in little change in the schema of chapter III; it was in substance unaltered. For an understanding of the debate it will be well to refer to the final enactment; the changes made will be specified as they occur.

The debate began on June 9.[7] and the first speaker was Cardinal Rauscher, Archbishop of Vienna, one of the leaders of the Minority. As in great measure he set the tone of the debate his points will be given:

> In matters of discipline there is no institution so legitimate, no right so certain, that the Pontiff, when the good of souls calls for such action, cannot override it. He instanced the suppression of the French dioceses by Pius VII in the Concordat. The Pope has the power of doing in

[7] Mansi, IV (52), 539.

any diocese whatsoever those things that belong to the bishop : no Catholic can question this. On the other hand, it cannot be called in question that bishops in ruling their dioceses have a right that is their own, and they are not vicars of the Pope. The statement that the Pope's jurisdiction over other dioceses is 'ordinary' is liable to be misunderstood, because such intervention would be, in common parlance, 'extraordinary'.[8] He proposed that for the opening words of the second paragraph of the schema : 'Docemus . . . hanc quae proprie est episcopalis iurisdictionis potestas, ordinariam esse et immediatam,' should be substituted the following, based on a canon of the Fourth Lateran Council : 'Docemus . . . Ecclesiam Romanam, disponente Domino, super omnes alias ordinariae potestatis obtinere principatum, et hanc Romani Pontificis iurisdictionis potestatem, quae vere episcopalis est, immediatam esse.'

This amendment the deputation 'gladly accepted', and Rauscher's wording stands in the decree.

Dechamps followed, proposing three new canons in condemnation of propositions in Maret's book. A letter of Ullathorne's of June 14 refers to the episode :

> Here is a recent scene of the Council. Unlooked for, one of the leading men (Dechamps) rose up and read three canons with anathemas against a book of one of the bishops present (Maret), and called upon all to accept them. The bishop in question went and asked for a copy from the speaker, and put his name down to reply. But the speaker said he had only written them in pencil, and such a one had it ; but, going to him, he had it not, nor anyone else knew where the paper was. He goes to the President, who says, 'I have it not, I don't like it. If you will withdraw your notice to speak, I will withdraw the paper.' And there I hope it is ended. For it was, whatever the merits, an in-

[8] In theological and canonical language 'ordinary' jurisdiction is opposed to 'delegated'.

formal proceeding. I suspect the silence of the Council daunted the proposer.

The next day, June 10, Dupanloup spoke:

There is no real controversy on the subject of this chapter, only on certain points of detail. The Pope's primacy of universal jurisdiction rests on the clear words of Christ taken in their obvious and natural meaning. Such is the tradition of the Gallican Church from Irenaeus to Bossuet. 'I return to our schema' ('bravo'!). Some limits should be set to the usual exercise of the primacy, and a recognition of the jurisdiction of bishops, metropolitans, patriarchs. The right of appeal to Rome is certain, but the jurisdiction of the lower courts should be respected; and he cited the well-known words of St. Bernard to Pope Eugenius.

A Chilian bishop spoke strongly in favour of the infallibility, and entered on a long refutation of a tractate just circulated by Kenrick of St. Louis. On the President ringing the bell, he said: 'All right, Eminent Father'! (Optime, Em. Pater), and went on, disregarding a second ringing of the bell. He went through the proofs from Scripture, Councils, tradition, theologians; then, 'Not to lose time uselessly' ('hear! hear'!), etc.; and made a speech of six columns without putting in a single formal amendment.

The Bishop of Nice denied roundly that the Pope's jurisdiction in other dioceses was episcopal, ordinary or immediate, and proposed the word 'pontifical'. St. Gregory the Great declined for himself the title 'universal bishop', given him by the Patriarch of Alexandria, because 'that which is given to another beyond reason is taken away from you'.

Cardinal Capalti said the Presidents could not allow this speech to pass without declaring that the doctrine was inadmissible.

Verot, after a long reference to the Council of Florence and other Councils, proposed adding a clause that the Roman Pontiffs have always declared that their supreme authority is to be exercised according to the canons. He proposed various

nendments, his speech being interjected with 'murmurs' d 'laughter' of the Fathers; and concluded by proposing new canon: 'If anyone says that the authority of the Pope the Church is so full that he may dispose of everything by s mere whim, let him be anathema!'

This brought Capalti to his feet again:

We are not in a theatre to hear buffooneries, but in the church of God to transact the serious business of the Church, in transacting which nothing should be said either contumelious or absurd or erroneous. The Rt. Rev. Father must pardon me, if carried away by zeal I have had to say this; for as often as he mounts the ambo he detains the Fathers of the Council in listening to his pleasantries.

A not undeserved rebuke.

The Bishop of Barcelona, though of the Majority, wished at the universal jurisdiction in other dioceses should be said be "extraordinary".

The Bishop of Oran, Algiers, quoted a Bologna professor theology, that the Pope could be judged by a Council, if a private doctor he fell into heresy ('ha! ha!'). 'Whe-er he would still be Pope, I pass over. But I believe . . . urmurs grew). Murmurs do not hinder the truth. I lieve . . . (murmurs). What I say is true: it is in that eology—these murmurs are unworthy.' And he went on.

The more ardent spirits of the Majority began to grow tive; they saw time running out and the crucial fourth apter not yet touched. So on June 13 they put in a petition the Presidents to apply the closure. It was signed by nestréy, Martin, Manning, Cornthwaite, and five others—angely only nine, and ten was the number that had to sign ch a petition. The Presidents took no notice of it.

That day, 13th, Cardinal Pitra delivered an exhaustive speech the Greek and Slavonic canons, a subject on which he was pecialist.

On 14th Haynald spoke:

That by the words of Christ, 'Feed my lambs, feed my

sheep,' the care and custody of the universal flock of th
Lord was entrusted to Peter and his successors the Roma
Pontiffs; and that by this the unity and firmness of th
holy Church of God is cemented, no Catholic denie
Every Catholic venerates Peter and the Roman Pontiff
the supreme pastor, under whose supreme rule the oth
pastors, successors of the Apostles, rule as bishops the pa
ticular churches in which they 'are set by the Holy Gho
to rule the Church of God'. But he thought that th
position and rights of the bishops were obscured and d
pressed in this schema. He objected to the word 'epi
copal', because it was impossible for the Pope to exerci
episcopal jurisdiction in all dioceses. Leave out 'episcop
ordinary, immediate'.

The Melchite-Greek Patriarch of Antioch pleaded that
view of the Orthodox Churches no canons with anathe
should be enacted on this matter of the Primacy, only th
decree of Florence without addition, and a decree protecti
the rights and privileges of the old Patriarchates.

The Bishop of Coutances expatiated at great length on t
devotion of the French Church to the Holy See:—

Capalti: Rt. Rev. Father, we all know that—it's not to t
point—please come to the amendments which you propose
chapter III.

The Bishop: Pardon me, Eminence; but each Father pu
his ideas in the way that seems best to him. These are proo
of the true love, devotion, and obedience of the French bisho
to this primacy, the strength, principle, and centre of Catho
unity. It is the answer to insults of various kinds utter
from this ambo against a Catholic country. (No! no
If the words of the second paragraph be pressed bishops w
be in the eyes of many only vicars of the Roman Ponti
removable at will (murmurs). Therefore let the paragra
be omitted or rewritten,—and be put in a new form.

A bishop from the Island of Sardinia spoke on appeals fro
Pope to General Council, and urged that the decrees of Pop
are irreformable, whence may be argued their infallibility.

Capalti : The question before us is not the infallibility but e primacy.

The Bishop : I am not speaking of infallibility ; I am eaking of inerrancy (laughter) ; and he went on.

Cardinal de Luca : We read in the Book of Proverbs, Rebuke a wise man, and he will love you.' As you, Rt. Rev. ather, are a wise man, you will not be displeased at my minding you we are not talking of the infallibility of the oman Pontiff, but of his ordinary, direct episcopal power er the whole Church. Therefore we all ask you to come ck to the point.

The Bishop : But I have to show from the practice of the urch that the decrees of the Roman Pontiff are irreformable.

Many Fathers : That belongs to chapter IV.

The Bishop : It is in chapter III, chapter III, chapter III.

The Fathers : Chapter IV, chapter IV.

The Bishop : Good; thanks very much ('Bene ! gratias o') ; and down he came.

Vancsa, Archbishop of Fogaras in Transylvania, then part Hungary, himself of the Rumanian rite, and in contact with e Rumanian Orthodox Church, warned the Council that the cond paragraph as worded would be an absolute bar against e return of the Eastern Orthodox to Catholic unity. Therefore, for the sake of Reunion, I am compelled to eclare solemnly, and with the utmost urgency to beg of you, t. Rev. Fathers, that the things contained in this second aragraph be cut out wholly ; or at least that another formula e substituted. Bear with me, Rt. Rev. Fathers, while I go ack on what was said by the learned and eminent Cardinal Pitra) on the Greek canons. (Uproar—rumores intensi.) I eg humbly . . . I listened patiently to all that was said. herefore I beg humbly (murmurs) . . . I wish to hurt no one, od forbid (' good, good ' !). But I pray that you grant me is, for otherwise I could not set foot in my diocese again. will not utter frivolities ('good, good '), but I must defend e institutions of my Church, by vindicating what is just and cit.' He was listened to to the end without further interuption.

The last speaker was Freppel. He had been professor o theology in the Catholic faculty of the Sorbonne, and one o the theologians called to Rome to prepare for the Council and during the Council he had been made Bishop of Anger Ullathorne commends the high quality of his speeches. H dealt with the principal objections that had been raised.

The rights of the Patriarchs are by ecclesiastical law those of the Pope by divine law, and what is of divine la cannot be limited by what is of ecclesiastical law. ('Bravo first rate!') We are making a dogmatic, not a disciplinary decree, and it would cause confusion to bring in what i only of ecclesiastical law.

Ordinary and immediate are no new terms for th Pope's universal jurisdiction; the former was used by th Fourth Lateran Council, the latter by St. Thomas. Whe Popes have said they may not act counter to the canons does that imply they are bound by the canons? I dis tinguish: as a legislator by his own law, yes; as an in ferior to a superior, no. Every legislator in every kind o government is bound to observe the laws he has made o confirmed, unless and until they be lawfully abrogated; thi by natural and divine law, because the common good an right order in any society require it. But the Pope has th power, for good cause, to dispense, or change, or abrogat any canons.

This distinction excludes the fantastic despotism, o absolutism, that we have heard spoken of. Absolutism i the principle of Ulpian in the Roman law, that the mer will of the prince is law. But who has ever said that th Roman Pontiff should govern the Church according to hi sweet will, by his nod, by arbitrary power, by fancy, tha is, without the laws and canons? We all exclude mer arbitrary power; but we all assert full and perfect power Is power arbitrary because it is supreme? Are civi governments arbitrary because supreme? Or a Genera Council confirmed by the Pope? Let all this confusion o ideas go! Let the doctrine of the schema be accepted in

its true, proper, genuine sense, without preposterous interpretations. (Applause.)

An excellent wind-up speech.[9]

The discussion of chapter III ended June 14, and the next day began the discussion of chapter IV, the Infallibility. Meantime the amendments on the Primacy were scheduled, and found to number seventy-two.[10] The schedule was distributed to the Fathers June 30. The deputation *de Fide* got to work on them on 19th, and dealt with them at four sessions, accepting a few, but ruling out nearly all.[11] On July 5 the emendations were submitted to the General Congregation. The Relator of the deputation was Zinelli, Bishop of Treviso, near Venice.[12] His exposition was a model of brevity, clarity, moderation, and courtesy :—'this emendation is liable, certainly not according to the mind of the Rt. Rev. Emendator, to be misunderstood in a sense that the deputation cannot admit.' The seventy-two amendments were divided about equally between the Majority and the Minority, and they were rejected by the deputation with the strictest impartiality, all of them but four, three of which came from the Minority. There was no accepting of persons : cardinals' emendations, as Pitra's, were ruled out ; also Dechamps', though a member of the deputation ; and Freppel's. The most important of the four accepted was Rauscher's, already spoken of.

Zinelli began most eirenically :

It was his first appearance in the ambo, and not one of the amendments was his. To those who had suggested new formulae rewriting the whole chapter, or large sections of it, he said that though their proposals were excellent, perhaps improvements, still it was question of amending an existing text already discussed. The two or three points of greatest moment he dwelt on in some detail, above all

[9] But on Freppel see Mourret, p. 66.
[10] Mansi, IV (52), 1080 ; *Lac* 332.
[11] Mansi, V (53), 264 ; *Lac* 1689.
[12] Mansi, IV (52), 1100 ; *Lac* 346.

the terms episcopal, ordinary, immediate, of the Pope's universal jurisdiction. The jurisdiction in itself was not questioned by anyone ; but there was a certain jealousy lest the terms used in asserting it might seem to derogate from the position of bishops as successors of the Apostles. Zinelli argued that the terms, when rightly understood, were sound and did not give rise to any curtailment of the ordinary immediate jurisdiction of each bishop in his diocese. 'Will any bishop say that the Pope would have to get his permission to preach, or hear confessions, or administer the sacraments in his diocese? When this question has been put, it has been met with laughter—the most conclusive answer.' He repeated Freppel's remarks on the canons concerning the rights of the Patriarchs. In regard to this chapter being a bar to the reunion of the Eastern Churches, when the time comes God will move their hearts and minds ; meantime let us pray for them, and let us define the truth fearlessly (impavide definiamus).

When he finished the amendments were put to the vote, those for the amendment standing up first, and then those against it : in every case the recommendation of the deputation was carried, often unanimously, always by overwhelming majorities—until the last was reached, and here arose a serious difficulty. It had to do with the third canon, that belonging to this chapter III. The original text of this canon ran :

> If anyone says that the Roman Pontiff has only the office of inspection or direction, but not the full and supreme power of jurisdiction over the universal Church, not only in things pertaining to faith and morals, but in those that pertain to discipline and government of the Church spread through the whole world ; † or that this power of his is not ordinary and immediate, whether over the churches all together or individually, or over pastors and faithful all together or individually ; let him be anathema.

Amendment 72 was that for this canon should be substituted the following :

If anyone says that the primacy of the Roman Pontiff is only the office of inspection and direction, and that his supreme power of jurisdiction over the universal Church is not full, but only extraordinary and mediate; let him be anathema.

It had been proposed by Regnault of Chartres, who appears o have belonged to the middle or mildly Ultramontane roup of the French bishops. The Relator now said that the eputation accepted this amendment 'iuxta modum', the node being that at the point in the original canon marked by he † the clause be inserted: 'or that he has only the principal art, but not the full plenitude of this supreme power' aut eum habere tantum potiores partes, non vero totam lenitudinem huius supremae potestatis).

The introduction of this clause in this way seems to have een a grave error of judgement on the part of the deputation. y no show of reason could a clause strengthening the canon e called a 'modification' of an emendment whose purpose nd effect was to lessen its force. How the thing came about ppears in the minutes of the deputation. Manning wished he clause introduced into the body of the chapter in connec- on with an earlier amendment; but it was decided it would e better in canon III.[13] If this had been done frankly as a ubstantive amendment included in the printed schedule, the rocedure would have been correct; but to bring it in by a de wind was clearly irregular. And this the general body f bishops felt. When it was thus put to the meeting nearly ll began saying to one another (fere omnes ad invicem dice- ant) that they should have it before their eyes, and that it ould not be right to vote after merely hearing it. Haynald nd Darboy voiced this dissatisfaction, and said that as it was ew matter there should be a discussion on it. The Presi- ents ruled that the vote should be deferred until the next ongregation, and that meantime the proposed canon should e printed and distributed.

This was July 5; on 9th a remonstrance to the Presidents

[13] Mansi, v (53), 266.

was made by the Minority, pointing out that the canon as now proposed was in no way a modification of amendment 72, but the original canon with an important insertion; by the rules of procedure votes are to be taken on amendments proposed at the public discussion; therefore a vote should be taken on this addition; and if it be rejected, the canon in its original form should be put to the vote.[14] The protest bore sixty-two signatures, headed by the three Minority cardinals, the great German and Austrian archbishops, the archbishops of Paris, Lyons (now Ginoulhiac), Rheims, Milan, St. Louis, and several bishops prominent at the Council, as Ketteler, Hefele, Clifford, Moriarty.

On the previous day, 8th, the deputation seems to have realized the mistake, and decided to withdraw the clause;[15] but Cardinal Bilio, the Chairman, received a private instruction from the Pope, through Cardinal Patrizi, that the canon be put to the Congregation with the clause inserted.[16] Accordingly the next day, without bringing in the Pope's name, he said that on consideration he thought it would not do to withdraw the clause now that it had so publicly been put forward and had got into the press.[17]

Consequently at the Congregation on July 11 Zinelli undertook the defence of the addition.[18] He was able to make out a good case of the position that the clause did not really go beyond what had been discussed and agreed to—that 'full and supreme power of jurisdiction over the whole Church' was tantamount to 'the whole plenitude of supreme power'. But he was not equally convincing when he sought to justify the deputation's procedure,—in fact, he was not convincing at all. However, on the canon with the addition being put to the vote, by far the greater number of Fathers (longe major patrum pars) accepted it, and it was declared carried.

Finally, on the 13th, chapter III as amended was put to the vote and carried by a large majority (longe major pars).

[14] Mansi, IV (52), 1119; *Lac* 991.
[15] Mansi, V (53), 273.
[16] Mansi, IV (52), 1119, note.
[17] Mansi, V (53), 274.
[18] Mansi, IV (52), 1200; *Lac* 368.

The original chapter XI of the schema, on the Primacy, had been notably expanded and improved in the reformed schema proposed by the deputation; the proem and three chapters on the Primacy as finally enacted differed but little from the deputation's proposal.

CHAPTER XXI

# INFALLIBILITY DEBATE: TEXT OF THE DECREE

If the chapters on the Primacy got through easily, it was otherwise with the Infallibility, and great divergences of view manifested themselves in the ' Observations ' of the bishops on the additional chapter of the theologians, put into their hands on March 6.

The draft text of the actual definition ran thus :[1]

Title : *The Roman Pontiff cannot err in defining matters of faith and morals.*

Sentences from Council of Lyons and Formula of Hormisdas (as in the actual Definition).

Therefore, with the approval of the Sacred Council, we teach and define as a dogma of faith, that it comes about by the divine assistance, that when the Roman Pontiff, to whom, in the person of Peter, it was said by Jesus Christ : I have prayed for thee, etc. [Luke xxii, 32], exercising the office of Supreme Teacher of all Christians, defines authoritatively what in matters of faith and morals is to be held by the universal Church, he cannot err ; and this prerogative of inerrancy or infallibility of the Roman Pontiff is coextensive with the infallibility of the Church. But if anyone, etc.

This text was the basis of the Observations put in with the deputation *de Fide* on March 25. There were 140 sets of Observations, many being the joint products of groups of bishops. They were scheduled by the theologians of the deputation, and the Analytic Synopsis fills just a hundred columns of Mansi.[2] The comments of the opponents of the definition are set out fully and clearly, and in great measure the

[1] Mansi, III (51), 701 ; *Lac* 641.
[2] III (51), 971-1070.

actual words are reproduced, some at great length ; as those of Rauscher, Schwarzenberg, Hefele, Haynald, Dupanloup, Connolly, Verot, and above all Kenrick, whose comments run to ten columns.

It may be said with full truth that in the Synopsis given to the bishops on April 29 they had before them adequate materials for the formation of a considered judgement ; in particular a summary of all the objections, difficulties, and hesitations that in the opinion of many stood in the way of the definableness of the infallibility as of Catholic Faith, even though it be accepted as a practically certain theological opinion : the case from Scripture, Councils, Fathers, history, theology, was argued from both sides with great array of learning ; the practical side of the issue, too, the danger of antagonizing the Governments of Catholic States, of schisms in Bohemia, Moravia, Hungary, of large defections of Catholics in Germany and Switzerland, of repelling Protestants from the Church (especially in North America), and of setting up a new barrier against the Eastern Orthodox Churches—all this was urged with all the impressiveness of men whose only thought was for the welfare of the Church, of religion, and of souls. All this was set out frankly and without disguise by the theologians of the deputation *de Fide*, who certainly made the Synopsis with great impartiality.

And equally the case for the definition is set out with the like fullness, with the counter-arguments in favour of the opportuneness of the definition and its dogmatic truth. Some wished to go further than the proposed formula, asking for an unconditional assertion of infallibility of all judgements and decrees of the Pope in the domain of faith and morals, no limitations being set, as of addressing the whole Church, etc.

It will be of interest to cull a few jottings from this mass of interesting material.

Thus Cardinal Pecci (Leo XIII) thought that one of the conditions of an infallible pronouncement should be that it unmistakably claims to be such.

The Dominican Cardinal Guidi with the Dominican bishops and Père Jandel, the Master General of the Order, while

rejoicing that the infallibility of the Pope, the constant tradition of the Dominican School, should be defined, still urged that the word 'infallibility' should not be used, as being too vague and liable to misunderstanding; that St. Thomas should be followed, who does not use the word when asserting the doctrine; and they proposed a formula, in part adopted by the deputation: that the Roman Pontiff by the power of the divine assistance is entirely immune from all error when, exercising the office of supreme teacher of all Christians, he defines something to be held or rejected as of faith by the universal Church; and that this prerogative is coextensive with the infallibility of the Church herself, as it belongs to the authority of Christ's Vicar to determine finally questions of faith.

Ullathorne urged that the term 'ex cathedra' should be introduced into the definition: it was consecrated by long use in the schools, and had a fixed and determinate meaning; its introduction would prevent uncertainties and controversies after the Council. Others made the same suggestion, and though it was not adopted by the deputation, it was carried by the Council, and stands prominent in the definition.

It was the duty of the deputation *de Fide* to take into account all the criticisms and suggestions put in by the bishops, and to recast the text so as to meet any general wishes manifested. This they did in a series of sessions that materially altered the text of the theologians. The genesis of the new text put forward by the deputation is explained in the next chapter. Its contents may be sufficiently described thus:[3]

The first paragraph was substantially the same as the first paragraph of the decree as enacted; it was followed immediately by the definition, the second, third, and fourth paragraphs of the final decree being wholly new, added as the outcome of the debate.

The definition in the deputation's revised schema was couched in these terms:

We teach and declare as a dogma of faith, that the Roman

[3] Mansi, IV (52), 6; *Lac* 272.

Pontiff, to whom in the person of Peter it was said by Christ: 'I have prayed for thee that thy faith fail not,' etc., by the power of the divine assistance promised to him, cannot err, when, exercising the office of supreme teacher of all Christians, by his apostolic authority he defines what in matters of faith and morals is to be held by the universal Church as of faith, or is to be rejected as contrary to the faith: and such decrees or judgements, of themselves irreformable, are to be received and held by every Christian with full obedience of faith, as soon as they become known to him. But since infallibility is the same, whether it be regarded in the Roman Pontiff as the Head of the Church, or in the universal teaching Church united with its Head; we define further that this infallibility extends to one and the same object. But if anyone contradicts this definition of ours, let him know he has fallen away from the truth of the Catholic Faith and from the unity of the Church.

No special canon was proposed for this chapter.

This was the text debated in the General Congregations rom June 15 onwards. On the first day it was announced nat seventy-three Fathers had inscribed their names to speak; t the next Congregation thirty-two more were added to the st of prospective speakers; and further additions brought ne number up to a hundred and twenty. The debate was for ne amending of the text—a Committee Stage debate; but ne Presidents found it difficult, in fact impossible, to keep ne speakers to the point. Many long speeches belonged eally to the general, Second Reading, debate, and were rguments for or against the defining the doctrine.

On the first occasion spoke the Cardinals Mathieu of Besançon and Rauscher of Vienna, the leaders of the French nd German wings of the Minority. The former's speech vas a protest against Vallerga, Latin Patriarch of Jerusalem, vho in the general debate had drawn out an analogy between ne Monothelite and Gallican controversies. He pointed with ride to the loyalty to the Holy See and to the Church of the ld Gallican episcopate at the Revolution, and remarked that

this Council could hardly be held were it not for the French troops in Rome. Rauscher said a distinction must be made between the Pope's power of jurisdiction and the power of magisterium; the three Councils cited speak only of the former, and are wrongly cited in chapter IV. He proposed the formula of St. Antoninus: 'The successor of St. Peter using the counsel and seeking for the help of the universal Church, cannot err.' If the word 'help' displeases, the word 'testimony' might be used; or any other formula that expresses unambiguously that the consent of the churches, whether precedent, concomitant, or subsequent, is necessary, not indeed that pontifical definitions on faith and morals may be received with reverence and obedience based on moral certitude; but in order that a pontifical definition has to be accepted as of necessity for salvation, as a doctrine revealed by God.

As it will appear that leader after leader of the Minority put forward this formula of St. Antoninus as one that would be acceptable to all, it will be of interest to have its actual text. St. Antoninus was a Dominican; he took part as a theologian at the Council of Florence, and then became Archbishop of Florence; he died 1459. The text of the piece on the Pope runs:[4]

> The Pope, though as an individual (singularis) person and acting of himself (motu proprio) he can err in faith; nevertheless, using the counsel and seeking the help (utens consilio et requirens adiutorium) of the universal Church, God so ordaining, who said, 'I have prayed for thee', he cannot err: nor can it be that the universal Church should accept something as Catholic that is heretical, because the universal Church is the Bride, and will ever be 'without spot or wrinkle'.

June 18 was what Ullathorne calls a 'red day', the whole time being taken by four cardinals. The first was the Benedictine Cardinal Pitra. His speech, read for him by a bishop

[4] *Summ. Theol.*, p. iii, tit. 23, c. 3, § 4.

was too rhetorical, and was marred by an excessive classic latinity; but its substance is of lasting interest and value to this day. He was a fine Hellenist scholar, an expert in the liturgies and religious literature of the Greek and Slavonic Churches, and he here brought together more fully than I have met with elsewhere the tributes of the Greek hymns and other popular religious literature of the Greek Church to St. Peter and to a number of the Popes.

The next speech was one of the sensations of the Council. It was by Cardinal Guidi, Archbishop of Bologna. He was a Dominican, a distinguished Thomist theologian, who had been professor of theology in the Universities of Rome and Vienna. It was his first appearance in the ambo, and his words were awaited with expectant attention on all hands.

He read the decree and expressed his full agreement with it, as faithful disciple of St. Thomas. But he pointed out that the definition proceeded on a syllogism: By the power of divine assistance the Pope cannot err when he defines what is to be believed: but by this assistance he is made infallible: therefore he is infallible. But the minor is equivocal, even false; the assistance is a transient divine act, not a permanent quality. It produces no change in the person; it makes his act infallible, but not his person. He illustrated his meaning: one or two acts of drunkenness do not make a man a drunkard. Therefore the correct title of the chapter would be, not 'the infallibility of the Roman Pontiff', but 'the infallibility of his dogmatic definitions'. The definition is infallible and irreformable, not the person, though to the person is given the assistance whereby he has the authority to issue such definitions.

So Guidi met the objection to the idea of 'personal infallibility'; coming to the other objection, to 'separate, independent, absolute infallibility', he urged that never had the infallibility been exercised in such an irresponsible manner; nor could it be. Basing himself on Bellarmine, he declared that a condition of infallibility was that it should not be exercised rashly (temere), but that the Pope was

bound to use ordinary human diligence in arriving at a right judgement, as prayer, consultation, study; and that the normal means was consultation with a greater or less number of bishops, according to the circumstances, the bishops being the witnesses to the belief of their churches. Therefore it should be made clear in the decree that not the Pope alone issues a definition; but the Pope with the bishops consenting to, or it may be asking for the definition, in such a way that they merely propose it, but he, by the authority received from Christ, defines. Therefore he would insert in the definition: 'having made investigation as to the tradition of the other churches, and having taken counsel with more or fewer bishops, according to circumstances, and having himself examined the matter, and invoked the Holy Spirit,' then he cannot err (murmurs); and so on much as in the proposed form. And he proposed a canon: 'If anyone says that the Roman Pontiff when he issues dogmatic decrees or constitutions, acts by mere will (ex arbitrio) and by himself, independently of the Church, that is separately, and not by the counsel of the bishops manifesting the tradition of the churches; let him be anathema' (voices: 'No, no').

A little storm arose; some cried, 'Good, excellent'; others, 'No, no'!

Guidi: Do not the bishops manifest to the supreme Pontiff the tradition of the churches? Why then 'No, no'? I beg you not to interrupt the speaker. Everyone puts forward his opinion. They are judges who ought to judge, and you yourselves ought to say afterwards 'placet' or 'non placet', but not to interrupt the speakers. (Some: 'Good, excellent.') He continued without further interruption: In this way the supreme and infallible authority of the Pope in defining matters of faith is vindicated, and the opinion of those is excluded who hold that *ex cathedra* decrees are reformable by the bishops or by a General Council.

It is not surprising that this speech of so unexpected an lly should have greatly heartened the Minority. They rowded round the cardinal as he came down from the ambo, hanking and congratulating him—Strossmayer even embracing him.

Hardly less remarkable was the speech of Cardinal Cullen, Archbishop of Dublin, in that he put forward a quite new orm for the definition, the form which, with a few modifications, was the one finally adopted. Cullen is commonly given the credit of having devised the actual definition, but it ppears that he was in consultation with members of the leputation, and Senestréy says in his Diary that the new form vas due to Cardinal Bilio.

In his speech Cullen said

> that when the Pope acts as Vicar of Christ he acts by his own authority given him by Christ, not by the authority of the bishops or the consent of the churches. Christ did not say to Peter, 'Thou art the Rock,' provided you consult bishops or theologians; 'I give you the keys of the kingdom of heaven', but on condition you hear others before you use them. When Peter acts as head of the Church, he acts with the Church and for the benefit of the Church, and he is not separated from her; but he does not receive his authority from the Church, but from Christ. The rest of a somewhat long speech was really on the general question, a defence of the doctrine.

That afternoon Guidi's speech was reported to the Pope, nd he was sent for. The Pope, it is said, upbraided him, a ishop of the Pontifical States and a cardinal, for opposing im. Guidi was surprised, and said he had maintained only hat bishops are witnesses of tradition. 'Witnesses of tradiion?' said Pius; 'there's only one; that's me.'[5]

But at the very time that Guidi was having his bad half-hour

[5] Of course no one but Guidi himself knew what actually passed; the bove is cited from Dupanloup's private journal by Mourret (p. 299), nd Dupanloup was likely to know. In saying this, if he did say it, ius spoke as 'private theologian'!

with Pius, another interview was taking place. Dechamps, in the name of several Fathers of the Majority, came to a conference with Darboy and Ketteler, to see whether Guidi's speech did not afford the basis of an accord in which all could agree. Dechamps declared that Guidi had substantially stated what he himself had always held; and Darboy on his side expressed his agreement with Guidi's position, which, he said, differed from that of the schema proposed to the Council. Cardinal de Luca, one of the Presidents, consulted Darboy, who advised that a new schema be drawn up based on the principles of Guidi's speech.[6]

It was, however, not considered advisable formally to withdraw the schema in favour of a new one, either Guidi's or Cullen's; but to let the debate run its course, and then make final choice from among the very many formulae proposed. It will appear that the final form did meet some of Guidi's desires.

At the next Congregation d'Avanzo, an Italian bishop, spoke in the name of the deputation *de Fide* on Guidi's speech. He defended the correctness of the title of the chapter, 'the Infallibility of the Pope',—it was, however, modified. As to Guidi's conditions of an infallible decree as expressed in his canon, 'by the counsel of the bishops manifesting the tradition of the churches', it was in reality more Gallican than the Gallican position, which was that the acquiescence of the bishops, expressed or tacit, was enough to stamp a papal decree as infallible: whereas Guidi was requiring an express consent beforehand. No condition can be put into the definition besides what is in it: namely that the Pope act not as a private person, but exercising his office of teacher of the universal Church; that it be in the matter of faith and morals; and that the efficient cause is the assistance of the Holy Ghost.

The Presidents still found it of extreme difficulty to keep the speakers to the point—the emending of the text; they tended to revert to the general discussion and to make long speeches on the infallibility itself and on its opportuneness. So that the Presidents had to intervene with great frequency,

[6] Mourret, op. cit., 299.

and they might well have intervened a great deal more than they did. It may be added as a fact, that the principal offenders were not the Minority speakers, but those of the Majority.

The debate was continued by the Latin Patriarch of Alexandria, in a long speech on the arguments for the infallibility, which aroused again and again signs of great impatience.

The Latin Patriarch of Jerusalem followed on the same lines, and had to be called to order by the President on the remonstrance of one of the bishops when he had been speaking near an hour. Cardinal de Angelis begged him to come back to the point. He seemed not disposed to obey, till, on several bishops calling out, 'Come down, come down,' Cardinal Capalti imperatively called on him to desist. He came down, but lodged a protest, claiming that the remainder of his speech should be inserted in the Acts.

These two were strong supporters of the definition. The next, Archbishop MacHale of Tuam, was against it, urging that some reference be made to the place of the bishops, as successors of the Apostles, in the teaching Church. It was a long speech of nearly an hour's duration. The Archbishop of San Francisco was for the definition, but proposed a long insertion in the preliminary part, to forestall misconceptions.

The next day the Archbishop of Sorrento entered on a long oration in favour of the definition. The President intervened: 'Rt. Rev. Father, what you are saying is excellent, but it belongs to the general discussion. Please come to the schema.' 'This is only the proem', said the speaker, amid laughter.

The Vicar Apostolic of Asia Minor, being titular Archbishop of Smyrna, went back to St. Polycarp, and discoursed at length on his visit to Rome and the paschal controversy, as proving his recognition of the Pope's infallibility. He then passed on to Irenaeus, till the President's bell rang, and he said, 'Well, let words yield to the bell (cedant verba tintinnabulo)'.

Errington spoke shortly of the unsatisfactory and un-

businesslike method of the discussion by long set speeches without any relation to each other. He called for a small joint committee from both sides to go into the matter and report. He himself proposed that in the title ' magisterium ' should be used, not ' infallibility '.

Connolly of Halifax maintained that neither the Petrine texts nor the three pieces cited in the schema from the Councils prove infallibility as put forward in the proposed definition. By it the Pope by himself is equivalent to the entire teaching authority of the Church, and all the bishops equal zero (murmurs and laugher on all sides), which is mathematically absurd, and theologically not in accordance with the revealed word of God. None of us question that the Pope is infallible : the question is, whether by himself, or according to the formula of St. Antoninus, ' using the counsel, and the assistance of the Church '.

The Archbishop of Granada thought that the chapter on the Pope's civil princedom ought to be included. (Many Fathers, ' No, no.')

On June 23 Archbishop Landriot of Rheims made a long and temperate speech against the definability of the doctrine, the weightiest of the speeches on that side. He himself held and always had held the teaching of Fénelon on the Pope's infallibility, which teaching had received the approval of Clement XI.[7] But he doubted whether that opinion is so based on the unanimous consent of Catholic tradition as to be definable as a dogma of faith. He dealt at great length, and with real learning, with St. Augustine's position, and that of other Fathers. For these reasons he was held in doubt, and proposed that the doctrine be defined as ' true and Catholic ', but not as a dogma of faith, or under anathema. ' But if, for all that, you proceed to the definition, and the Holy Father confirms it by his apostolic authority, no one will be, in heart

[7] Fénelon, and apparently also Bossuet, held the infallibility of the Roman See, but not of its occupant (sedis, non sedentis) : individual Popes might err in teaching, as Honorius ; but the papacy would recover itself, and other Popes would put right the error that had been made. One of the solicitudes of the Infallibilists was to kill this distinction between the Roman See, i.e. the line of Popes, and the individual Popes.

and mind, more obedient than the Archbishop of Rheims.' (Applause.) It is worthy of note that Landriot had acted consistently with the Minority in all their protests and representations; at the final votings he, like many others, voted first 'placet iuxta modum', and at the Public Session 'placet'.

The Archbishops of Burgos, Spain, and of Toronto, Canada, spoke for the definition, and then the Bishop of Biella, Piedmont, against. Cardinal Bilio, after calling him to order for giving utterance to views beyond the limits even of recognized Gallicanism, added: 'It is most painful to admonish in this way a man venerable by age, and conspicuous for the great labours he has borne for the Church.'

This day, June 23, certain petitions were made to the Presidents to shorten the speeches by more drastic ruling. But the speechifying went on just the same.

Bishop Whelan of Wheeling, U.S.A., urged in a long speech, amid signs of weariness by the bishops, that the Church should in some way be brought into the definition, as by the words that the Pope in defining acts as the head of the Body of Christ and the mouth of the Church.

On 25th Ketteler urged that the formula of St. Antoninus be adopted.

Four other bishops spoke. This day two petitions for the closure, signed by twenty-three and fifteen bishops were made to the Presidents, but without effect.[8]

On June 28 an Italian bishop, after proposing an amendment, made so long an exhortation to the Fathers to study brevity in their speeches that Capalti told him the best thing he could do would be to give a good example of the brevity he was urging on others.

Ginoulhiac, now Archbishop of Lyons and Primate of Gaul, made a conciliatory speech: the idea of inspiration or revelation should be explicitly excluded; he adopted St. Antoninus' formula.

The Bishop of Urgell, Spain, wished the scope of infallibility extended beyond the sphere of faith and morals.

[8] Mansi, IV (52), 1197.

The Bishop of Los Angeles, California, was against the form of the definition, and proposed a new form for the whole chapter.

Moriarty of Kerry said that if the schema contained the words spoken by Dechamps and Pie all would vote ' placet '. The whole trouble was over the three words ' personal, separate, absolute '. As chapter IV stood, his amendment was that it be omitted altogether. If retained, it should be stated that any dogmatic decree must contain at least the formula ' having ascertained the votes of the Cardinals of the Roman Church '.

On June 30 two bishops making long speeches in support of the definition were called to order by the Presidents.

Martin of Paderborn, one of the deputation, proposed a complete rewriting of the whole chapter, and a long addition, which in fact became the basis of the addition actually made.

Other bishops developed long arguments, amid great signs of impatience, in favour of the definition—one, on saying ' I have finished ', was greeted with cries of ' bravo ' !—and then came Verot again, unsuppressed by previous experiences. After speaking for nine columns, during which he raised many murmurs and also much laughter, voices began to cry out, ' It is very late '. Verot said : ' I am sorry it is so late ; but if the Presidents will allow me to break off now, and go on to-morrow, I will do so.' This they refused, so he went on for two columns more. His speech was not reasonable. He asked that Bossuet's *Defensio* (a work in two large quarto volumes) should be discussed in detail at the Congregation ; he went through the centuries again : St. Paul, Polycarp, Irenaeus, Cyprian, Augustine, Vigilius, Honorius. Certainly a learned and vigorous speech but in no way a discussion of the text. At the end he put in two or three amendments, one being : ' after in his wisdom he has ascertained the faith of his brethren in the episcopate '.

July 1, the Bishop of Cuenca, Spain, spoke at still greater length, fifteen columns, in favour of the definition, without putting in any amendment at all, and without any discussion

of the text. Then Maret and David of St. Brieux both advocated the formula of St. Antoninus.

On July 2 the first business was the voting on the Proem and chapters I and II of the Constitution as amended; it has been described in Chapter XX. Then the discussion on chapter IV went on. The Bishop of Meath, Dr. Nulty, proposed an amendment and explained it at such length, defending the definition, that the President called him to order: Rt. Rev. Father, you see that the whole Congregation is wearied; draw in your sails, and come to any amendments you wish to propose.

Then Mermillod of Geneva made a short speech: We are being crushed under the twofold burden of heat and of eloquence. Let us come to our vocation of judges not of orators. It is time now for definition, not discussion. ('Good, good.')

The President announced that a Transylvanian bishop had waived his right to speak, 'for which we thank him with all our hearts'. ('Excellent, excellent.')

Meignan of Chalons followed: he doubted that the belief in the infallibility as put forward in the schema was sufficiently attested in tradition or in the universal belief of the Church. He thought the formula of St. Antoninus should be taken, or some other that brought in the bishops or the Church.

The Bishop of Perpignan also supported the formula of St. Antoninus, and proposed a canon: If anyone say that the prerogative of infallibility can be exercised by the Church without the Pope, or by the Pope without the Church, let him be anathema.

A Peruvian bishop: 'After these magnificent orations I renounce my right of speaking.' (Applause.)

The Bishop of Sinigaglia spoke for the definition. He discussed the case of St. Cyprian at such length that the Fathers cried out, 'Cyprian has been spoken of enough, this is mere repetition.' So he passed on to St. Augustine, till the President said: 'Enough has been said on Cyprian and Augustine. We all beg of you to come to any amendments you have to propose.'

After another long general speech by a Piedmontese bishop for the definition, Freppel of Angers made another excellent speech, which was practically the winding-up speech of the debate.

For in the minutes of the next Congregation, July 4, there is a note in the Acta, that owing to the great heat it was too trying to remain in Rome listening to long dissertation for four hours every day, especially as the subject had been exhausted and nothing new was said. Therefore certain bishops on both sides, especially Manning and Haynald, had made a move to induce the rest of those inscribed to speak to renounce the right. At first several seemed to resist the proposal, but finally nearly all acquiesced.

Two more, however, spoke: the Bishop of Civita Vecchia, *for*, but he wished the theological term *ex cathedra* introduced; and the Bishop of Oran, Algiers, *against*, supporting the formula of St. Antoninus.

This was the end: no more speakers mounted the ambo, and the Presidents declared that as no one asked to speak, the special discussion of chapter IV was closed, 'amid general shouts of joy and applause'.

This was on July 4.

The question, of course, arises, Was the debate prematurely and unduly cut short, owing to the physical discomforts of the great heat?

This Third Reading debate had gone on for eleven days, and there had been fifty-seven speakers, thirty-five *for*, twenty-two *against*. It was not a good Third Reading debate, not businesslike; few were satisfied with proposing amendments and briefly explaining their reason; many did not attempt to do this, but made long speeches for or against the doctrine, that really belonged to the previous debate. The Presidents were unduly indulgent in allowing a too great scope to the speakers.

Had the Minority case its chance of being adequately represented? Among the sixty Fathers who resigned the right of speaking were several of the Minority leaders. Haynald himself, Schwarzenberg, Simor, Hefele, Strossmayer,

Darboy, Dupanloup, Clifford. But Rauscher, MacHale, Connolly, Landriot, Ketteler, Ginoulhiac, Moriarty, Verot, Maret, David, Greith, Meignan had spoken, and had put the various aspects of the case very fully. It may justly be doubted that there was anything more to be said on either side.

### DR. ULLATHORNE'S LETTERS, JUNE AND JULY

After June 1 there is a break, the next letter being of 14th.

During Pentecost week, the Holy Father orders very special devotions in Rome for the Council. On the Monday in that week he himself came heading the cardinals in procession to St. Peter's singing the litanies; the bishops were there, St. Peter's was full. Then the 'Veni Creator' was sung, then Benediction of the Blessed Sacrament. Daily since in the great churches have there been similar devotions, and processions in the streets, even the Jesuits walked 280 strong. Exposition also in all the great churches, beginning with St. Peter's.

We this day closed discussion of the 3rd chapter of the schema *de Summo Pontifice*. To-morrow begins the 4th chapter, the great point; 120 names inscribed for speaking, your humble servant amongst them, and early on the list after the archbishops. But I have had confidential communications which lead me to hope, as they are from a cardinal, that after a short discussion the deputation *de Fide* will intervene with an exposition and a new proposition, likely to unite nearly all the Council in one, and so cut short the debate, and settle the point to general satisfaction. Something of this kind must and ought to be done, to prevent worse evils.

Here is a little story that will remind you of old doings in Church history. A certain bishop wrote a letter to one of his priests inveighing against the Council and all its proceedings in a most unjustifiable way, and of course revealing its affairs in his own way, so that he could not be

answered without going into secrets. The letter was sent by its recipient to England, and got into *The Times*, though the bishop was no Englishman. It got wind who the writer was. The Pope was about sending for him, when all must have come out. He threw his schema into the Tiber, and escaped from Rome. A boatman picked up the schema out of the river, took it to the authorities and lo ! the name of the bishop to whom it belonged was found upon it. I tell you the story as it goes in the Council.[9]

It is now said that by management we are to settle the question by SS. Peter and Paul, or soon after, but that though others may be allowed absence, the special deputations will be retained to go on with their work. I hope not, and don't see it will save much time ; but if it is so, I shall certainly ask leave to come home for a month.

June 19. The great debate alternates with the great festivals. Yesterday I may call a red letter day, four cardinals filled up the hours of discussion.[10] The most remarkable speech for force, originality, freedom, and the attention it fixed was by Cardinal Guidi, the Dominican. Thirty-three more names were inscribed on that day to speak, and unless something arises to call for what the French call *la clôture*, we shall have half the Council on its legs. The first list of archbishops begins to-morrow, and my turn comes almost immediately after them, in about a week from this. Only, your Dominican Cardinal has anticipated half my matter, and someone else might do the rest. Unless some special move is made to cut short difficulties we are fairly in for it, up to the middle of July. However, we begin to see approach towards a common centre.

June 28. What dire events from trifling causes spring !

[9] The story is confirmed by letter of L. Veuillot, *Rome pendant le Concile*, II, 427. On this episode, see below, p. 441.

[10] Pitra, Guidi, Archbishop of Bologna, Bonnechose of Rouen, Cullen of Dublin.

Last Saturday came my turn in the Council. I had an amendment on the great point on which I had spoken to several Fathers of the deputation of Faith, and to one of the Cardinal Presidents, all of whom thought it might not improbably serve as a basis for accommodation. It skimmed the fatal rock, whilst it secured what required to be made secure; so at least I thought. I looked hard at it for two days before, and was all ready; when, behold! on the very morning, I awoke at 4 o'clock as sick as a horse, if a horse ever is sick, and with a diarrhœa like an attack of cholera. So I was in bed all day, and the day following, and had to send for a doctor, who has put me right again, and I have no further indisposition.

Dr. Vaughan tried hard to get leave to read my speech, but there was an irrevocable rule, requiring that only those actually present, who from infirmity could not read for themselves, could be read for by another. Could I speak on my return to the Council? No. By a rule promulgated a few days before, those who lost their turn were off the list. I might put my name down to come on at the end. But to come in after ninety others, after 117 in all, was too much, so I have sent in my amendment as a private document to the deputation on Faith, which may be used, but cannot be printed so as to become a document of the Council.

You will naturally ask when will all this finish. I think in about three weeks we may come to voting. We have had so many feasts, including the Pope's election and crowning, and St. John the Baptist, and a Consistory yesterday, that there has been much time taken from the Council. I think, if we go on now a fortnight will see the end of the debate, and then we shall have the amendments to go through, and the votings of two different kinds, preliminary to the Session. All I can say is, that the peace of the Church will depend upon the prudence of the deputation and of the Pope. If they act with the moderation of true wisdom all will go right. I trust and hope it will be so.

Bishop Vaughan has just got his leave of absence on the ground of the heat being serious for his infirmity, so he can leave when he likes. It is generally about 90 degrees of heat in the shade, but in a large place like the College, with closed shutters and mats outside the windows, we are better off than the bishops who are in private houses.

A good many bishops are suffering from sleepless nights, the night heat is so close and oppressive. Some have had to leave in consequence.

Ullathorne's proposed speech and amendment, which he sent privately to the deputation *de Fide*, is printed, along with forty others similarly sent in, in Mansi (IV (52), 1163).

The amendment was, to add *ex ecclesiae magisterio*, so that the definition would run: Cum omnium christianorum doctoris munere fungens ex ecclesiae magisterio pro apostolica sua auctoritate definit quid, etc.

In defining the Pontiff acts not by the authority of his subjects, but by his own authority as Christ's vicar; he acts as universal witness, as supreme judge, as universal teacher; but he acts not only on his own witness, but also on that of the Church. He acts, either his own mind being previously informed, or by the witness and counsel of others proportionate to the circumstances of the case. And so in defining the Pontiff always acts within the tradition of the Church. In hearing the supreme Pontiff we hear the Catholic Church herself.

If this is true, it ought to be expressed in the definition. Many more will read the definition than will hear explanations of it. And it should not mislead people through defect of words. The definition ought to carry its own light, and to explain itself. It should be so clear as to make it fully understood by all, that by declaring the Head infallible, the Catholic principle is not excluded.

July 2. I thought you might fancy I was continuing unwell, so I write at once, and tell you I am quite recovered,

and have been the two last days at the Council, which now begins at 8 each morning, continuing to 1½ p.m. Through sundry compromises, several speakers have withdrawn their names, and, before this reaches you, I trust that discussion will have ended. Then will remain the most delicate and reponsible work of the deputation of Faith, prior to voting on the amendments.

We now begin to see the end, and hope it may come about the 16th inst. when we shall be ready to start homewards. It is very oppressive weather, and a good many bishops are indisposed. I can scarcely imagine anything detaining us over a week beyond the time I have specified, and I don't see why we should not have the Session on the Feast of Carmel. An agreement was almost come to yesterday for all parties to resign their claims to speak, and simply to have their proposed amendments printed and considered, but to-day the almost agreement broke asunder. There is still a notion that the agreements may be renewed. But some prelates, once on their legs, forgot all but their own rhetoric, of which the Council is heartily tired. We had three such men this morning, of whom two were fairly cried down.

In my estimation the shrewdest man in the Council is a young Bishop from California, a native of Spain, but brought up in America, a little man, with broad shoulders, and a broad compact head, like that of the first Napoleon, and he never speaks above a few minutes, but he hits the nail on the head invariably. He neither argues, nor talks, but simply proposes amendments on the text and comes down again.

Freppel spoke a second time this morning. I missed him. But he is the most precise, clear, sharp-lined French speaker I ever heard. But recently made Bishop of Angers, he still has the bearing of a professor of the Sorbonne. He handles principles with force, because he is acute at distinctions as well as precise and trenchant. If you want the glare, the glittering flat-eyed glare of enthusiasm on an idea divested of all consideration for the world and the

humanity in which it is to work, fanaticism in short, you must pick out certain men of Spanish birth or extraction. One might think from them that fixed and hard ideas, pushed to the furthest extreme, were just the cure for all human ills. They very much need a dose from Dr. Newman's *Grammar of Assent*. They seem to fancy that men and women, the actual creatures of this world, are spirits living on fixed ideas, and devoid of disturbing elements. That is, they seem to think so, until it comes to the question of damnatory clauses, when at once they waken up to the vigour of the old Inquisition. It is painful to sit and see and hear men arguing on the exigencies of the human race, and plainly ignorant of all that is passing in the head and heart of that human race, beyond their own little fragment of it. But why should I inflict on you the scourge of fanaticism that has been inflicted on me and on others who have seen much of mankind in many ways, and who know that the human race cannot be sharply divided between luminous believers and deliberately malignant heretics. And yet these men have such kindly genial hearts, when you get through their crust of gravity and reserve towards strangers.

July 7. On Saturday, by mutual understanding, the speakers remaining on the list withdrew their names and the great discussion came to a close. The sudden relief caused a good deal of hilarious congratulation. On Tuesday we voted on seventy-two proposed amendments to the 3rd chapter. On Saturday next we expect to assemble and vote on the proposed amendments to the all important 4th chapter. Then will follow a day for the voting by 'placet' 'non placet' or 'iuxta modum'. And on the 16th, the feast of Our Lady of Mount Carmel, will be the Session. After that we shall be free to return home until October. It is said however among the officials, that those who remain, after twenty days' vacation, will go on with some work, so as to keep the Council in its moral continuance.

But I asked the Holy Father at an audience yesterday,

whether we should be free to depart, and he replied, ' certainly '.

This audience on July 6 is the one referred to in Ullathorne's *Autobiography*. The following note is from the *Life of Bishop Ullathorne* (II, 77):

More than once during the Council, owing to the detached position he took up, Ullathorne was subjected to the annoyance of being looked on as of the Opposition. In later years one of his favourite stories of the Council was how an Italian bishop whispered at him the word ' Gallican ', and how leaving his place and climbing over the intervening benches he confronted the offender and said, ' You call me " Gallican "? ' ' And I fixed my glassy eye upon him '—with results left to be imagined. However, he thought it incumbent on him to make a personal explanation to Pius IX, and asked for an audience.

The note in the *Autobiography* runs (p. 46):

The sole object contemplated in the intended speech was to propose the addition of a term in the definition which might tend to greater clearness. As I knew that impressions had been made on the mind of the Sovereign Pontiff with respect to my views, I solicited a special audience, in which I informed His Holiness that from the time of my theological studies I had always been an infallibilist, and that all I desired was to see that the definition should be as clear as it could be made. But in fact the lines of explanation added to the decree before its promulgation accomplished all that I desired. With this explanation His Holiness expressed himself well satisfied.

When recounting the episode he used to say that Pius was so pleased that he patted him on the back, exclaiming ' Bravo ! bravo ' !

NOTE

Two special subjects keenly discussed both in the debates and in the pamphlets and other writings circulated among the bishops, seem to call for a mention.

A. *The Case of Pope Honorius.*—This was recognized on all hands as one of the crucial issues, being the strongest obstacle from the side of Church History to the definition of papal infallibility: it was in fact Hefele's principal ground of objection, as set out in the pamphlet he circulated.

It would serve no useful purpose to give a résumé of the controversy as carried on during the Council: for this reason a long letter of Ullathorne's has not been given. But as the point no doubt is still a living difficulty with many in the way of accepting the Vatican decree, I may venture to refer to the treatment of the question by Abbot Chapman in the *Dublin Review*, 1906-7, reprinted as a tract by the Catholic Truth Society; also his article 'Honorius' in *Catholic Encyclopædia.*

The attitude of the Ultramontane apologists and controversialists at the time of the Council was to question the authenticity of the documents, or to defend the substantial orthodoxy of Honorius' letters. Abbot Chapman says that both these positions should be abandoned: 'the authenticity of the documents is above suspicion'; and, in face of the decree of the Sixth Œcumenical Council and of divers papal acts, 'unquestionably no Catholic has the right to deny that Honorius was a heretic (though in the sense that Origen and Theodore of Mopsuestia were heretics), a heretic in words, if not in intention.' 'It would no doubt be uncharitable to regard the Pope as a "private heretic"; but his letters, treated as definitions of faith, are obviously and beyond doubt heretical, for in a definition it is the words that matter.'

Abbot Chapman's treatment of the whole question is by the recital of the documents of the case from first to last. The conclusion is as follows:

Therefore just as to-day we judge the letters of Pope Honorius by the Vatican definition, and deny them to be *ex cathedra*, because they do not define any doctrine and impose it upon the whole Church ; so the Christians of the seventh century judged the same letters by the custom of their own day, and saw that they did not claim what papal letters were wont to claim, viz. to speak with the mouth of Peter, in the name of Roman tradition. The grounds of both judgements are in reality the same, viz. that the Pope was not defining with authority and binding the Church.

*Text of the Council of Florence Decree of Union.*—The Florence ecree of Union with the Greeks is cited in chapter III of the onstitution on the Papacy as laying down that the Roman ontiff has received from Christ in Peter the full power of eding, ruling, and governing the Universal Church, quemadmodum etiam in gestis œcumenicorum Conciliorum sacris canonibus continetur '.

Over the word ' etiam ' there had been a longstanding ontroversy, some MSS. having ' et '. It was said that etiam ' was confirmatory, ' as is also contained in the Acts of ouncils and the Canons ', whereas ' et ' would be restrictive, n the manner in which it is contained in the Acts of Councils d the Canons '.

Döllinger in ' Janus ' had counted the substitution of etiam ' for ' et ' among the glaring papal falsifications of ocuments ; and the point of reading was one of those hotly scussed at the Council. Recourse was made to the original ecree, preserved at Florence, with the signatures of Pope and mperor and of all the bishops, and with the leaden and golden ullae attached ; ' etiam ' was found in its text. It was found so in authentic official copies at the Vatican and elsewhere, so bearing the signatures of Pope and Emperor. So there n be no question but that ' etiam ' is the true reading ; no oubt the ' et ' arose from the well-known abbreviation ' ẽt ' r ' etiam ', the abbreviation mark being dropped.

But some of the bishops urged that this question of the tin text was not the one that really mattered. The original

Decree is in Latin and Greek in parallel columns, and it was the Greek form that the Greeks accepted and signed, most of them not knowing Latin. The Greek reads :

*καθ' ὃν τρόπον καὶ ἐν τοῖς πρακτίκοις τῶν οἰκουμενικῶν συνόδων καὶ τοῖς ἱέροις κάνοσι διαλαμβάνεται.*

It does look as if the Greek is ambiguous, susceptible of either meaning.

However that may be, the Vatican Constitution cannot be accused of garbling the text, because, in citing the Latin text, it uses the certainly genuine Latin reading.

CHAPTER XXII

# THE DEPUTATION *DE FIDE* AND THE INFALLIBILITY DECREE

When the debate closed on July 4 the great task of the Deputation *de Fide* began, the taking count of the divers amendments proposed and of the reasons urged in support of them in the speeches made. But before coming to this, let us look back and take stock of what had happened on the Deputation in regard to the infallibility decree from the date, just after Easter, when the deputation first set its hand to this, the great burning question of the Council.

And here it is right to warn the reader that this chapter and the next will in great measure be concerned with points of somewhat technical theology: it is hoped indeed to exhaust in this place the purely theological side of the question.

During March the bishops had written their 'observations' or 'animadversions' on the schema prepared by the commission of theologians on the Roman Pontiff, his Primacy and his Infallibility; and these observations had been analysed and scheduled by the theologians of the deputation. On April 29 the formal announcement was made that the question of the Papacy was to have precedence and to be brought on forthwith; and the next day, 30th, the Fathers had in their hands the digest of the bishops' observations.[1] The matter of the Primacy has been dealt with in Chapter XX; here we limit our attention to the Infallibility.

The formula animadverted on by the bishops was the one prepared by the theologians before the Council: it has been given in Chapter XXI (p. 348), and the actual definition as proposed is column A of the Table, p. 385.

Naturally much was said on the general question: the truth of the doctrine; its definableness, even if theologically true; its opportuneness. In particular the proposed defini-

[1] Mansi, III (51), 971-1070.

tion was the object of much criticism; a number of other formulae were advocated as preferable, some seeking to clarify and strengthen the doctrine, others to weaken its implications; and a great variety of canons with anathemas were suggested. This mass of material was soon in the hands of the deputation. For the official history of the proceedings of the deputation on the infallibility definition we have the minutes of the sessions (Mansi, v (53), 238 ff.; *Lac* 1678); but these are supplemented in a most interesting way by Senestréy's Diary of what took place on the deputation.[2]

From it we learn that during Holy Week, April 10-16, private meetings of members of the deputation were held in Manning's rooms. Those who forgathered thus, the inner circle of the infallibilists, were: Manning himself, Senestréy of Ratisbon, Ledochowski of Gnesen and Posen, d'Avanzo of Calvi, Martin of Paderborn, Zinelli of Treviso, de Preux of Sion (Switzerland), Steins, Vicar Apostolic of Calcutta, Leahy of Cashel. They agreed that the formula of the definition as drafted by the theologians (form A) should be retained for the present, it being certain that during the debate many formulae would be suggested, and when it was over and all the formulae were before them, the best could be taken; but to put forward another formula now as the official text to be discussed would cause confusion. It appears that Martin of Paderborn wanted to bring in another formula, but at the urgent request of the others he agreed to withhold it.

It was on April 27 that the constitution on the Roman Pontiff came before the deputation for consideration. Its duty was to consider the animadversions of the bishops, and to endeavour to produce a schema so modified as to meet any wishes for which there was a notable backing of opinion. The task of the deputation was no easy one; a hundred and forty observations on the infallibility had been put in by the bishops, some of great length, some the joint work of groups of bishops. During three sessions the report of the theologian, Maier, a canon of Ratisbon, no doubt Senestréy's theologian, was read and discussed. With some amendments

[2] Mansi, v (53), 276; *Lac* 1695.

t was adopted and was circulated among the bishops on May .[3] On May 4 began the actual discussion by the deputation tself on the infallibility schema. Considerable divergences of opinion manifested themselves among the members of the leputation. One (not Manning) wished for a statement that nfallibility exists in the Church only through her conjunction vith her head, the Roman Pontiff, and is infused into her by is magisterium. Another desired the clause, the Roman Pontiff ' teaching along with the body of bishops '. Another vished the obligation to be laid on all of receiving with full obedience of faith all definitions of the Roman Pontiff in natters of faith and morals, and with full assent of mind all his upreme decrees and judgements. Some proposed quite new ormulae for the definition. At the end of the session on the norning of May 5, Cardinal Bilio, the chairman, put to the leputation the question, which of the proposed formulae for he definition should be chosen? and the minutes say: ' it vas decided that the formula proposed by Bishop Martin of Paderborn should be adopted.' The crucial point, and a very rucial one, of the new formula were the words italicized: when he defines in matters of faith and morals what is to be believed by the universal Church *as of Catholic faith*.' Archbishop Alemany of San Francisco made a proposal that came o the same thing: ' When he defines *under censure of heresy*.' The theological aspects of the matter will be discussed just now. A second meeting of the deputation was held the ame day, May 5, in the evening. The minutes say that the heologian (it was Franzelin) brought forward a revised form of Martin's proposal: ' when he defines in matters of faith nd morals what is to be believed and held, or rejected, by the niversal Church as of divine faith.' Agreement, however, ould not be attained, and the question was postponed until he next day. At that meeting another Jesuit theologian, Schrader, proposed a few alterations not affecting the import of the definition: there was further discussion, and the thing vas again postponed. Next day arose a keen controversy acrior controversia) over the proposed definition, two urging

[3] Mansi, IV (52), 12; *Lac* 277.

that by it not only the Pope's infallibility but that of the Church was restricted to revealed truths. The minutes state that Franzelin was able to meet the objection, and the definition in this form was passed, as also the whole text of the constitution on the Roman Pontiff, to be submitted to the Council for debate. It was printed and circulated among the bishops on May 9.

The above is what the minutes of the deputation record on the controversy among its members; the account is supplemented by Senestréy's Diary, which gives a more personal and a more lively picture of what took place. In some details the two accounts do not tally, but Senestréy's general picture is no doubt substantially true to fact. It is reproduced here practically in full:

SENESTRÉY'S DIARY

(*References, page* 374 *footnote.*)

The draft schema for the formula of definition of infallibility prepared by the theological commission in case it should be needed, had been composed by Cardinal Bilio [who had been president of the commission], and had been approved by the Pope. Therefore it was a surprise to all that Cardinal Bilio at the meeting of the deputation *de Fide* on May 5, when none of the Fathers said anything against the formula, himself began to argue against it: No more can be defined concerning the infallibility of the Pope than has been defined concerning the infallibility of the Church; but of the Church this only is of faith, that she is infallible in dogmatic definitions strictly taken; therefore the question arises whether in the proposed formula the infallibility of the Pope be not too widely extended. The Cardinal did not deny, nay he maintained as certain, that the Pope is infallible also in dogmatic facts, in the canonization of saints, and in other things of like moment, just as the Church is infallible in such. He added that he greatly desired that at this Vatican Council it should be defined that the Church is infallible not only in dogmatic definitions, but also in dogmatic facts, in the canonization of saints, and

the approbation of religious Orders. But as now there was question of defining the infallibility of the Pope before the infallibility of the Church had been dealt with, the formula said more than ought to be said.

It was replied that though the infallibility of the Church had never been defined, it was a fundamental dogma; as therefore it is of faith that the Church is infallible, let the same be defined of the Pope. Bilio, however, would not put the question to the vote, and fixed another meeting for that same evening, at which he continued urging against the formula the same objections. He said that the chief theologians defended the infallibility of the Pope only in defining dogmas.[4] By this argumentation many Fathers of the deputation were deceived, not observing that those theologians defended the infallibility of the Pope in defining dogmas as a certain truth of faith, or proximately such, and moreover held it to be theologically certain that the Pope is infallible also in dogmatic facts, in censures short of heresy,[5] and this in the same way as the Church is infallible. Dechamps, Spalding, Steins, and Martin, through desire of conciliating opponents, supported Bilio's argumentation; others strongly resisted it; and there was a long dispute.

Next day, May 6, Bilio called to the meeting two theologians [the Jesuits Schrader and Franzelin], who made statements as to what could be defined. Then Bilio produced a new formula which Martin had given him before the meeting. The theologians recommended it as apt to solve the difficulties. On the opinions being taken, some accepted it, others 'iuxta modum', two entirely rejected it. Bilio concluded that the formula was accepted by all except two. [There can be no doubt that the 'two' were Senestréy himself and Manning.]

The next day, May 7, they returned to the new formula, and the two who objected to it exposed their reasons. The

[4] This statement is borne out by the teaching of such representative Ultramontane theologians as Perrone, Guéranger, and Dechamps, cited p. 59, 126f.

[5] E.g. 'erroneous', 'temerarious', 'scandalous', etc.

principal reason was, that what it declared was only this, that the Pope cannot err when he defines what is to be believed expressly by divine faith ; it would be commonly taken that only such definitions *de Fide* are infallible. [The minutes say they urged that not only the infallibility of the Pope, but that of the Church was thereby limited to what was revealed.] The theologian Franzelin pointed out that the difficulty could be met by an addition, which was adopted.

In this way the formula B, p. 385, was produced, which the deputation laid before the Council as the text to be debated, and it was circulated among the Fathers on May 9.

Manning has left a note on the episode, among his reminiscences of his last years :

> On the secret history of the deputation *de Fide* see a Latin memorandum by the Bishop of Ratisbon [Senestréy's Diary], of which no use must be made while Cardinal Bilio lives, nor after his death in any way to dim the great name of one whom I love much. I have said in another place how humbly before the Conclave he spoke of his own weakness of character. In the deputation *de Fide* he was overborne by Malines (Dechamps) and Paderborn (Martin), and had a fear of French bishops, who beset him in private.[6]

And it was during these discussions, on account of their intransigent attitude, that Bilio said to Manning and Senestréy, ' Non ita sunt tractandae res Ecclesiae '.[7] The fact of course was that Bilio and Dechamps and Martin were trained dogmatic theologians, which Manning was not. Of course also, they were desirous that a formula should be found, adequate in itself, that would secure the adhesion of the Minority and so bring about a moral unanimity ; and, as Ullathorne's letters show, the more responsible leaders of the Majority went on hoping against hope till near the end that such a solution

[6] Purcell, *Life of Manning*, II, 454.
[7] Ibid., 583.

could be found. But Manning's whole mentality was different: as always, his own view was simply *right*, and he wanted it defined in the most absolute way, opponents to be crushed. And so he proposed various formulae stretching the doctrine to extreme limits, and to be enforced by stringent canons under anathema. One of these was adversely commented on by the deputation's theologian.[8]

In regard to the new formula for the definition (B), adopted at the deputation for submission to the Council, there are discrepancies in detail as to its origin, between Senestréy's Diary, which attributes it to Bilio, and the minutes of the deputation which show that it was the outcome of revisions made by Franzelin and Schrader of a form first proposed by Martin of Paderborn. If it be compared with the original draft of the theologians first put before the bishops (A) the following principal differences will be noticed:

(1) The Pope's *ex cathedra* decrees are said to be 'irreformable of themselves'—this against the fourth of the Gallican Declarations: it had been called for by a number of the bishops in their Observations.

(2) So also had the clause that they are to be received with full assent of faith by every Christian as soon as he becomes aware of them.

(3) But by far the most vital change was the insertion of the words 'as of faith', and 'as contrary to faith' (tamquam de fide, tamquam fidei contrarium). These words limited the infallibility to definitions *de Fide* and condemnations under the censure of 'heresy'. Hereby was involved a theological question long debated in the schools. The Catechism definition of 'Faith' runs: 'Faith is a supernatural gift of God—a grace—which enables us to believe without doubting whatever God has revealed.' God the Revealer is the motive of Faith, and only what He has revealed, only what is in 'the depositum', be it contained in Scripture or in Tradition, explicitly or at least implicitly, can be the object of divine Faith. We have heard Bilio formulate the theological difficulty (in Senestréy's Diary): this is all that could be said to be

[8] Mansi, III (51), 698.

of Catholic Faith ; and therefore the definition of Papal infallibility could not be extended wider than the certain sphere of the Church's infallibility. He himself held the ordinary opinion of theologians, that the infallibility of the Church does extend beyond the limits of what is of divine Faith as revealed by God ; that such things as the canonization of saints, the approbation of religious orders, condemnations of propositions under censures short of ' heresy ', and dogmatic facts intimately bound up with the safeguarding of revealed truth, do fall within the sphere of the Church's infallibility, and are to be accepted with interior assent, not by divine Faith, because they are not revealed truths, but by what is called ' ecclesiastical faith ' in the teaching authority of the Church. This is the common teaching of theologians, but it has never been defined, and discussions are still current over the whole question. As Bilio pointed out, the difficulty arose from the change in the order of business, whereby the infallibility of the Pope was being taken before the infallibility of the Church had been dealt with. As will be seen, the Vatican Council deliberately left this question untouched, and defined the papal infallibility in such a way as to leave these theological questions undecided.[9] Manning and Senestréy had good grounds for their contention that the formula put forward by Martin and Bilio, if enacted by the Council, would be taken as an authoritative Conciliar pronouncement on the theological controversy as to the extent of infallibility, deciding it in favour of the opinion that limited infallibility of Pope and Church alike to the sphere of things revealed by God. For all that, the formula was adopted with practical unanimity by the deputation, including such men as Dechamps, Pie, Spalding, Leahy, and was the one put before the Council in the deputation's revised schema,

[9] See the useful tract by Fr. Vincent McNabb, O.P., *Infallibility*, Section III, ' Object ', for a clear statement of the theological issues. It is surprising that the draft schema on the Church prepared by the theologians does not in the chapter ' Infallibility ' come to grips with this question. It is couched in terms that may include dogmatic facts and censures less than ' heresy ', but could not be applied to canonizations and approbations of religious Orders : it is confined to what is necessary for the safe-keeping of the ' depositum '. (Mansi, III (51), 542 ; *Lac* 570.)

irculated May 9, and debated at the General Congregations rom May 13 until July 4. It was not until July 9 that the ormula actually enacted (C, p. 385) was proposed by the eputation (Mansi, IV (52), 1194).

It is not surprising that, as we learn from Senestréy, great issatisfaction was felt among the more ardent spirits of the nfallibilists when the changed form of the formula became nown : it seemed to them to have been ' not reformed but eformed ', and private meetings were held in the rooms of he Archbishop of Bourges, attended by Manning, Senestréy, Mermillod, Fillion of Le Mans, and others. It was agreed hat every effort should be made to have the new formula ithdrawn and the first one restored.[10]

The next meeting of the deputation was on May 22. Bilio aid that the formula proposed by the deputation was, in egard to the object (i.e. the extent) of the Pope's infallibility, ispleasing to a great number of Fathers, and asked if a new ormula should be drafted? After a long discussion it was greed unanimously to wait until new formulae should be roposed by the Fathers of the Council, and the best one then e taken. Senestréy's account of this session is that Bilio ow urged against the formula the very objections that enestréy himself and Manning had urged. Martin, Dehamps, Spalding, Steins defended the formula ; the others nought it should be emended. Bilio thought that an istorical preamble should be added, meeting the objection nat it was left open to the Pope to act without counsel, eliberation, or the use of scientific helps, when defining octrines. A new schema of the chapter was therefore laid efore the deputation, June 8, by the theologians Franzelin nd Kleutgen.[11] In compliance with Bilio's idea of an istorical preamble, it contained the first draft of what became he central portion of the constitution as enacted. The formula of the actual definition—' when exercising the office of upreme teacher he defines by his judgement, questions of

[10] A long argued statement of the objections to the new formula is to e found, *Lac* 1704.

[11] Mansi, V (53), 257 ; *Lac* 1643.

faith or morals'—was criticized as too indeterminate and wide-reaching: for instance, Pie objected that the obedience of faith was claimed for decrees on things not revealed. As Senestréy says, it did not give satisfaction.

The public special discussion on chapter IV, 'the Infallibility of the Roman Pontiff', began in the Council at the General Congregation of June 15. The schema and definition debated were still those proposed by the deputation on May 9, so that the definition was in form B, with the words 'as of faith'. At the next Congregation, June 18, Cardinal Cullen proposed as an amendment his new formula of the definition, form C, p. 385. It has naturally been supposed that the formula was Cullen's own, and to him has been accorded the honour of formulating the actual definition; but Senestréy tells us that its author again was Bilio, who suggested it to Cullen.[12] And the next day, June 19, Bilio produced at the deputation a new schema of chapter IV, prepared by the theologians, and which became substantially the basis of the chapter as finally enacted. On June 24 another formula of the definition was proposed to the deputation by Manning and Franchi (afterwards Cardinal): 'The Roman Pontiff when he speaks *ex cathedra* is equally infallible as if he defined along with the bishops, congregated in General Council.' On June 26 the deputation discussed Cullen's formula; the question was considered whether it should be adopted at once, and proposed to the Council by the deputation. It was decided again that no new formula be put forward by the deputation until the public discussion was finished, when the best of all the formulas proposed could be adopted; moreover, that the actual formula of the schema (B) should not be easily abandoned.

At this point among the minutes of the deputation is a report by Zinelli of Treviso: it appears that some were urging that it should be defined that the infallibility of the Church is derived from and depends on that of the Pope. He says that such a position is highly controversial and to be avoided. As the infallibility of the Church is certain Catholic doctrine, he

[12] 'Quam ipsi Card. Bilio suggesserat.'

vises that Cullen's form, proceeding from the certain to the ncertain, should be adopted.

On July 3 the deputation discussed other formulae of the finition, one by Manning, against which it was objected that left indefinite in what kind of decrees the Pope is infallible. nother, Gasser of Brixen, suggested they should be equated ith the decrees of General Councils, to be received with the me grades of assent. No conclusion was come to.

On July 4 the public debate on the text of chapter IV came an end, and the theologians set to work to schedule and port on the amendments proposed. The scheduled emen-tions ran to ninety-six;[13] moreover, a great number of nendations, some very lengthy, were put in privately in riting, numbering forty-eight.[14]

On July 7 the deputation took in hand the amendments. ne five theologians took part: the Jesuits Kleutgen, anzelin, Schrader; the Dominican Bianchi; and Canon aier of Ratisbon. It was first agreed to change the title of e chapter from 'the infallibility of the Roman Pontiff' to he infallible magisterium of the Roman Pontiff': this was effect a recognition of Guidi's main contention, in that it tributes the infallibility not to the Pope himself, but to his nagisterium', or teaching authority; not to his person, but his definitions.

Next, the historical preamble which forms the central rtion of the constitution as enacted (§§2, 3, 4), as drafted by artin of Paderborn, was adopted as meeting a number of the oposed amendments, as in fact it did. Then came the nendments of the formula of definition. There were fifty ch amendments as the result of the debate, and a number of hers were put in privately in writing: in all, quite a hun-ed formulae had been suggested. If the minutes of the putation convey the impression that these amendments ere very hurriedly dealt with and rejected without due con-leration, the reason was that Cullen's formula had been actically agreed on as the one to be adopted for final recom-

[13] Mansi, IV (52), 1121; *Lac* 372.
[14] Mansi, IV (52), 1140.

mendation to the Council; and so the other amendments, bei
based on the form debated (B), were automatically rul
out. When Cullen's formula was reached it was adopted.

There remained the question of canons with anathema
be attached to chapter IV, as to the first three chapters. So
twenty such canons had been proposed in the debate, a
many more in the private discussions of the deputation.
long discussion ensued, at which it appeared that no agre
ment among the members of the deputation could be secure
accordingly it was decided that no canon be added, but t
final sentence be deemed sufficient: 'If any one presume
contradict this definition, let him know that he has fall
away from the truth of Catholic Faith and from the unity
the Church.' The next day, however, they agreed on
general canon, substituting 'let him be anathema' for 'l
him know, etc.'

These deliberations of the deputation took up the thr
days, July 7, 8, 9; and on this last day were distributed to t
bishops the new historical preamble (§§ 2, 3, 4 of the Constit
tion), and the new formula of the definition (the one enacte
C, p. 385). At the General Congregation on July 11 Gass
of Brixen was spokesman for the deputation in setting for
the reasons for their recommendations. His speech is
such importance as to claim a chapter to itself.

## FORMULAE OF DEFINITION

Out of the hundred and more modifications proposed for th
formula of the definition, three stand out as having bee
officially put forward and subjected to the criticisms of th
bishops. These are exhibited in the annexed Table:

**A** is the formula prepared by the theologians before th
Council, circulated on March 6, and criticized by the bisho
in written Observations submitted to the deputation *de Fid*

**B** is the formula as revised by the deputation, circulate
on May 9, and debated at the General Congregations durin
May and June; the text that was the basis of the amendmen
proposed at these debates.

C is the formula finally proposed by the deputation, July 9, cepted at General Congregation, 11th, passed 13th, and ally enacted, 18th, the last clause being added on 16th.

| A<br>posed by Theologians commented on by the hops in written servations | B<br>Proposed by Deputation and Debated at the Public Discussions | C<br>Form Finally Enacted |
|---|---|---|
| e Roman Pontiff<br><br>nnot err when, ercising the office supreme teacher all Christians, he fines with<br><br>thority what in tters of faith and orals is to be held the universal urch:<br><br>d this preroga- e of inerrancy or allibility of the oman Pontiff ches to the same ject as the infalli- ity of the ends to. | The Roman Pontiff by the power of the divine assistance promised to him, cannot err when, exercising the office of supreme teacher of all Christians, he defines with his apostolic authority what in matters of faith and morals is to be held by the universal Church as of faith, or is to be rejected as contrary to faith: and such decrees or judgements, irreformable of themselves, are to be received and held by every Christian with the full obedience of faith as soon as they become known to him. And because infallibility is the same whether it be regarded in the Roman Pontiff as the head of the Church, or in the universal Church teaching in union with the head, we define that this infallibility extends also to one and the same object. | The Roman Pontiff when he speaks *ex cathedra*, that is, when exercising the office of pastor and teacher of all Christians, he defines with his supreme apostolic authority a doctrine concerning faith or morals to be held by the universal Church, through the divine assistance promised to him in St. Peter, is possessed of that infallibility with which the divine Redeemer willed his Church to be endowed in defining doctrine concerning faith and morals: and therefore such definitions of the Roman Pontiff are irreformable of themselves [and not from the consent of the Church]. |

CHAPTER XXIII

# BISHOP GASSER'S EXPOSITION

Mgr. Vincent Gasser, Prince-Bishop of Brixen, Austri
Tyrol, stands out as the most prominent theologian of t
Council. His Exposition, as spokesman of the deputati
*de Fide*, on July 11, was the longest speech made at the Coun
running to twenty-seven columns of Mansi, and taking nea
four hours in delivery. Before coming to the amendme
Gasser made a review of the whole subject, dwelling on t
objections raised and explaining the attitude of the deputati
with such clearness and such moderation, that it is the b
account known to me of the whole controversy waged at t
Vatican Council over the question of Papal infallibili
Therefore I trust I shall be acting in accord with the wishes
those interested in the theology of the subject, in giving
somewhat full analysis of this great speech.[1]

After going over the Scriptural and traditional aspe
of the argument for Papal infallibility, and justifying t
citation of the three General Councils in the first paragra
of the chapter as really implying the doctrine, he came
the objections and difficulties that had been urged agai
it. And first, that by the definition the divine constituti
of the Church will be changed, because for the futu
General Councils will not be necessary. I reply: they w
be as necessary in the future as in the past; absolutely th
never were necessary in order that the faithful who were
good will might know the truth with certainty, for this th
could always know from the ordinary magisterium of t
Church, the bishops in union with the Roman Pont
They were not necessary for the knowing of the truth, b
for the suppression of error. When errors were widespre

[1] Mansi, IV (52), 1204; *Lac* 388.

and the Christian world was in danger, the Catholic Church opposed to them her most solemn judgement in a General Council. But the most solemn judgement of the Church in faith and morals is, and always will be, the judgement of an œcumenical Council, in which the Pope pronounces judgement, the bishops of the Catholic world sitting and judging along with him.

It is insisted: General Councils in future will not be free; the bishops will no more be real judges. I reply, they will be as free as they were in the past. For in the future, Councils will be held either with or without a previous dogmatic definition of the Pope on the point at issue. If there be none such, and the Pope leave the matter to be dealt with wholly by the Council, then the Council will use its liberty freely in the Lord. If a dogmatic definition has preceded the Council, it will act as the Third of Constantinople and as Chalcedon acted in face of the dogmatic letters of Popes Agatho and Leo.

He then went on to speak of the three words that from the beginning had been at the root of nearly all the controversy: the Pope's *personal*, *separate*, *absolute* infallibility; for the whole matter hinges on these notions.

In what sense is the Pope's infallibility *personal*? It is personal in that it belongs to the Roman Pontiff, not the Roman Church, or the Roman See. The infallibility is personal in as far as it belongs to each legitimate occupant of the Roman See. But it is not personal as belonging to the Pope as private person or private doctor. So we do not speak of personal infallibility although we attribute it to the person of the Roman Pontiff, not as an individual person, but as a public person, the Head of the Church in his relation to the Universal Church. Nor is the Pope infallible simply as Pope, but as subject to the divine assistance guiding him. For as Pope he is always the supreme judge in faith and morals, and the father and teacher of all Christians; but he enjoys the divine assistance, whereby he cannot err, only when really and actually (reipsa et actu) exercising the office of supreme judge in controversies of

faith, and of teacher of the universal Church. Therefore the sentence, 'The Roman Pontiff is infallible', is not to be blamed as false, because Christ promised it to the person of Peter and the person of his successor; but only as incomplete, as the Pope is infallible only when by his solemn judgement he defines matters of faith or morals for the universal Church.

In what sense is the infallibility of the Pope to be called *separate*? It may be called separate, or rather distinct, because it is founded on the special promise of Christ, and on the special assistance of the Holy Ghost, which is not the same as that enjoyed by the whole body of the teaching Church joined with its Head. The relation of Peter and his successor to the Church is quite special, and to this special and distinct relation responds a special and distinct privilege. In this sense the Pope's infallibility is separate. But we do not thereby separate the Pope from his ordinated conjunction with the Church. For he is infallible only when as doctor of all Christians, that is, as representing the universal Church, he judges and defines what is to be believed or rejected by all. He can no more be separated from the Church than the foundation can be separated from the building it bears. Further, we do not separate the Pope infallibly defining from the co-operation and concourse of the Church, at any rate in this sense, that we do not exclude such co-operation and such concourse of the Church. The end is the preservation of truth in the Church, generally when some controversy arises, and some question is referred to the Holy See for settlement. Here we do not exclude the co-operation of the Church, because the Pope's infallibility does not come to him by way of inspiration or revelation, but by way of divine assistance. Hence the Pope is bound by his office and the gravity of the matter to take the means apt for ascertaining the truth and enouncing it; and such means are Councils, or the counsel of bishops, cardinals, theologians, etc. These means will be different in different cases; and we ought piously to believe that in the divine assistance given to Peter and his

successors by Christ there is included a promise as to the means necessary and apt for making an infallible judgement by the Pope.

Finally, we do not in the least separate the Pope from the consent of the Church, provided that consent be not put as a condition, be it antecedent or consequent consent. We cannot separate the Pope from the consent of the Church because this consent can never be withheld. As we believe the Pope to be by divine assistance infallible, we thereby believe also that the assent of the Church can never be wanting to these definitions; as it is not possible that the body of bishops can be separated from their head, nor can the universal Church fail.

In what sense is the Pope's infallibility *absolute*? In no sense is it absolute, because absolute infallibility belongs to God alone. The Pope's is restricted by limitations and conditions, as set forth in the definition.

But many Fathers want more than this; they want conditions introduced into the definition, as that the Pope must have recourse to proper means, or that a formula must be used making it explicit that the definition is *ex cathedra*. More important: it is urged that the help of the Church, the assent of the Church, that is, the witness and the counsel of the bishops, not only cannot be excluded from the definition of infallibility, but it ought to be placed in the definition as one of the conditions that are of faith. And so, this condition is said to be of faith: and how is it proved? Is it in the promise of Christ? But, 'Do thou confirm thy brethren' is the relation between Peter and the Apostles, and therefore between the successor of Peter and the successors of the Apostles, the bishops, contained in the promise of Christ; whence we should conclude that the bishops need the help and the counsel of Peter's successor, and not vice versa.

But this opinion has been urged not so much by appeal to Scripture as to certain axioms. The *first axiom* is: The members should be joined to the head and the head to the members; whence is drawn the conclusion of a strict and

absolute necessity of the counsel and help of the bishops in every dogmatic judgement of the Roman Pontiff, so that it should have place in the definition. It is on this point, of strict and absolute necessity, that the whole difference between us lies ; not the opportuneness or relative necessity of such procedure, which is to be left to the judgement of the Pope according to circumstances.

It is said that once the Pope has issued a dogmatic definition, bishops no less than priests and laity are bound to submit to his infallible authority ; but this is not so before the definition has been made : and the bishops should concur in the making of such a definition. Here we come to the *second axiom* : As the bishops can do nothing in making dogmas of faith without the Pope, similarly the Pope can do nothing without them. The first part is true, because decrees of faith even made by a General Council are not infallible and firm unless confirmed by the Pope. The reason of this is not the one which I have sometimes heard, I say it with sorrow, alleged in this ambo, namely, as if all the infallibility of the Church were seated in the Pope and from the Pope derived and communicated to the Church. This according to a certain celebrated theological system might be said of jurisdiction ; but I cannot understand how infallibility could be communicated. The true reason is that this infallibility was given by Christ to the entire magisterium of the Church, that is to the Apostles along with Peter. But conversely, can the Pope do nothing without the bishops? Not so, for Christ said to Peter alone, 'Thou art Peter', etc., and 'I have prayed for thee', etc. Now for the *third axiom* : The consent of the churches is the rule of faith, which even the Pope should follow ; and therefore before the definition he ought to consult the rules of the churches that he may be certain as to the consent of the churches. We here come to the crucial point. It is true that the Pope in his definitions *ex cathedra* has the same founts (fontes) as the Church has, Scripture and Tradition. It is true that the agreement of the present preaching of the whole magisterium of the Church united

with its Head is the rule of faith even for definitions by the Pope. But from this can by no means be deduced a strict and absolute necessity for inquiring about it from the bishops. For such agreement can very often be deduced from clear testimonies of Holy Scripture, from the agreement of antiquity, that is, of the holy Fathers, from the opinions of doctors, or in other private ways, which suffice for full information. That strict necessity, such as would be necessary for inclusion in a dogmatic decree cannot be established. There may be a case so difficult that the Pope deems it necessary for his information to inquire from the bishops, as the ordinary means, what is the mind of the churches: such was the case regarding the Immaculate Conception: but such a case cannot be set up as the rule.

Moreover, it is agreed that this rule of the consent of the churches is valid only in its positive sense; namely, that whatever the universal Church unanimously by its present preaching receives and venerates as revealed, is certainly true and Catholic. But supposing dissension arises between particular churches, and controversies follow concerning Faith, what then? According to the canon of Vincent of Lerins, recourse must be had to the consent of antiquity, to Scripture and the Fathers, and from the consent of antiquity the dissent of present preaching is to be resolved.

The dogmatic judgement of the Roman Pontiffs are for the greater part concerned with controversies on faith in which recourse is had to the Holy See; and the Pope should define them principally from Scripture, Fathers, Doctors, and especially from the tradition of the Roman Church. Whoever therefore contends that the Pope, either for information, or for an infallible judgement on faith or morals, depends wholly on the manifested consent of the bishops, or on their help, must lay down that false principle, that all the dogmatic judgements of the Pope are in themselves and of themselves reformable, unless the consent of the Church is given to them [the Fourth Gallican Article].

But this system is either arbitrary, or else subversive o all papal infallibility. Arbitrary, if the assent of a greate or lesser part of the bishops be required; for who will f the number? who will make choice, as in this respe bishops are equal, and the assent of some cannot prejudi the assent and judgement of others. From this arbitra system, especially if it be question of subsequent assen whether tacit or expressed, history tells us what anxietie troubles, and scandals arise. This system is subversive o all papal infallibility, if the assent of the whole Church b required; for then there is in fact but one infallibilit which resides only in the whole body of the teachin Church. In this case the decrees of the Roman Pontiff ca and ought to be reformed by a General Council; for mea while the assent of the Church is not so manifest as that cannot be denied: the Pope is not infallible except with General Council. And, unless we are to fall back on th infallibility of the Pope defining by himself alone, he coul confirm only those decrees of a Council approved by majority of the bishops, or rather by all. If the bisho do not agree? It would be all over with the judgement o the Church, which yet is the 'pillar and ground of truth

Gasser then came to the emendations. He went throug them briefly, indicating the reasons why the deputation con sidered most of them unacceptable; the ground had bee covered by what he had already said. The tenth emendatio was the historical preamble (§§ 2, 3, 4 of the constitution), th import of which he recommended as meeting a number of th desires expressed in the emendations and in the debate.

On coming to the amendments to the definition, he dea first with those that proposed the insertion of some condition That which had most backing was the formula of St. Anton inus—'using the counsel and seeking the help of the universa Church';—this had been proposed by several leaders of th Minority, as Rauscher, Dupanloup, Ketteler, Meignan, and certainly would have been accepted by almost all, and woul have secured practically universal consent to the definition

The deputation objected to it that it was vague and indefinite, and likely to give rise to controversies and uncertainties as to whether the counsel and help of the Church had been in any given case properly used. On the same ground, or as unduly limiting the infallibility, they advised the rejection of all the other conditions that had been proposed, holding that the insertion made in the preamble was as much as could be allowed.[2]

He then came to the new formula, Cullen's, which was the one finally and definitely adopted unanimously by the deputation for the definition. He gave a full explanation of its import, which being authoritative as to the mind of the deputation, is summarized here. The reader will find the formula in column C of the Table of formulae, p. 385.

In this definition the *subject* of the infallibility, i.e. the person who exercises it, is the Roman Pontiff as Pontiff, as a public person in relation with the universal Church.

The quality and *condition* of the act of infallible definition is that the Pope speaks *ex cathedra*. This term is received in the schools, and its meaning is defined as follows : ' When the Pope speaks not as a private doctor, or as bishop of a diocese, but as exercising the office of supreme pastor and teacher of all Christians.' Moreover, not every way suffices of propounding a doctrine, even as supreme pastor and teacher ; but there must be the intention manifested of defining a doctrine, or of putting an end to controversy on some doctrine, by giving a definitive sentence, and propounding that doctrine as to be held by the universal Church. And this property and note of definition in the strict sense the Pope should at least in some measure express when he defines a doctrine to be held by the universal Church.

The third thing contained in the definition is the principle or the *efficacious cause* of infallibility : it is the protection of Christ and the assistance of the Holy Ghost.

[2] The sentence : ' Romani autem Pontifices . . . cognoverant ' (§ 2).

Lastly, as to the *object* of infallibility: it is promised for the guarding and expounding of the whole deposit of faith. Hence its object is doctrine of faith and morals. But not all truths pertaining to faith and morals are equally necessary for guarding the integrity of the deposit. Hence it follows that errors are opposed in various grades to the safeguarding of the deposit, according as the truths to which they are opposed pertain more or less to the deposit. And these various grades of errors are distinguished by various notes of censure.

Hence (1), it is certain that the infallibility promised by God, be it in the whole universal teaching Church defining truths in Councils, or be it in the supreme Pontiff, reaches to absolutely the same range of truths.

(2) Without any doubt this infallibility, whether in Pontiff or in teaching Church, reaches to those things which in themselves make up the deposit of faith, namely to the defining dogmas of faith and the condemning heresies. Hence all children of the Church must believe by faith that the Church is infallible in propounding and defining dogmas of faith. And in the same way the infallibility of the Head of the Church cannot be defined without defining that the Pontiff is infallible in defining dogmas of faith.

But (3), other truths cohere more or less strictly with revealed dogmas, truths which though themselves not revealed, yet are required for guarding intact the deposit of revelation, rightly explaining it, and efficaciously defining it: to such truths belong dogmatic facts, inasmuch as without them the deposit of faith cannot be safeguarded and expounded; such truths do not in themselves belong to the deposit of faith, but to the safeguarding of it. Hence Catholic theologians commonly agree that the Church in her authentic propounding and defining of such truths, is infallible, so that to deny this infallibility would be a most grave error. Diversity of opinions is concerned only as to the grade of certainty: whether the infallibility in propounding these truths and in condemning errors by cen-

sures less than ' heresy ', should be considered a dogma of faith, so that he who should deny this infallibility of the Church would be a heretic ; or is it only a truth not itself revealed, but deduced from a revealed dogma, and therefore only theologically certain?

But since exactly the same has to be said of the infallibility of the Pope in defining truths, as of the infallibility of the Church defining them, the same question arises as to the extension of the papal infallibility to truths of this order which are not revealed, but pertain to the safeguarding of the deposit : I say, the same question arises, as to whether the papal infallibility in defining truths of this kind be not only theologically certain, but also a dogma of faith. But as it seems right to the Fathers of the deputation with unanimous agreement, that this question be not defined now, but be left in the state in which it is, it follows necessarily that the decree of faith concerning the papal infallibility should be so worded as to define, concerning the object of infallibility in the definitions of the Roman Pontiff, that exactly the same is to be believed as is believed concerning the object of infallibility in the definitions of the Church.

This is secured by the definition that the Roman Pontiff in defining *ex cathedra* is possessed of that infallibility with which Christ wished His Church to be endowed. Thus the object of the Pope's infallibility extends neither more nor less widely than extends the infallibility of the Church in her definitions on faith and morals. Thus, just as it would be heretical to deny the Church's infallibility in defining dogmas of faith, so by this Vatican decree it will be no less heretical to deny the infallibility of the Pope himself (per se spectati) in definitions of dogmas of faith. But in those things in which it is theologically certain, though not yet certain by faith, that the Church is infallible, by this decree of the Council the Pope's infallibility similarly is not defined to be believed as of faith. But, with whatever theological certitude it is certain that these other objects are included in the range of the infallibility that the Church possesses in

her definitions, with the like certitude is it to be held that infallibility extends to the same objects in definitions made by the Pope.

To complete in this place the theological aspects of the question, some further explanations made by Gasser five days later, 16th, will be given here :[3]

> The meaning of *definit*—he defines—in the decree: I will say in a few words how according to the mind of the deputation this word *definit* is to be taken. The deputation does not mean it to be taken in a forensic sense, so as to mean only the putting an end to a controversy raised concerning heresy and doctrine which is properly of faith; but the word *definit* signifies that the Pope directly and terminatively issues his sentence about a doctrine of faith or morals, so that every one of the faithful can be certain of the mind of the Apostolic See, of the mind of the Roman Pontiff; in such way that he knows for certain that this or that doctrine is held by the Roman Pontiff to be heretical, or almost heretical, certain or erroneous, etc. This is the meaning of the verb *definit*.

It will be well to confine to this chapter what has to be said on the theological bearings of the discussions, and so we may consider what precisely it was that the Minority bishops were standing out for. It is true to say that the Gallican position, pure and simple, found hardly any supporters: the theory that a dogmatic decree of the Pope becomes known to be infallible and irreformable by virtue of the subsequent endorsement or acquiescence, at least tacit, of the general body of bishops. What the Minority tried to bring about was that Pope and Church should in some way be linked together in the definition, so that it might be clear that the Pope when making an *ex cathedra* definition, is giving utterance to the mind of the Church, is acting not only as the head but as the mouth of the mystic Body of Christ, speaking in union with the Church

[3] Mansi, IV (52), 1316; *Lac* 474.

and under the influence of her magisterium and infallibility. Hence their insistence that a 'personal, separate, absolute' infallibility of the Pope was being set up, and this was the formula around which the controversy was waged all through the Council. It was, they said, a disuniting of head and body in the supreme matter of defining truth, a decapitating of the Church, a decorporating of the Pope. Hence the greater number of amendments to the definition were attempts to get the Church in some way or other brought in. The proposal that had the greatest support was the formula of St. Antoninus —'using the counsel and help of the Church';—this would have secured a practically unanimous Minority vote for the definition. But the deputation objected that it was vague and uncertain in its application, and might lead to uncertainties and controversies as to whether in any given case the Pope had sufficiently sought the counsel of the Church.

Bellarmine's 'ex apostolica traditione' would have secured unanimity. Not much concession was needed to satisfy the Minority. For instance, Hefele of Rottenburg was one of the strongest and stiffest opponents of the definition; but he proposed a form that would make it acceptable by adding the clause: 'relying (innixus) either on the ecclesiastical tradition, or on the counsel and help of the whole magisterium.'[4] He added explanations: the second clause covers the ordinary exercises of infallibility, for it usually is exercised with either the antecedent or concurrent consent of the bishops; the first clause, 'relying on the ecclesiastical tradition', covers cases on which the tradition is clear, and on which the Pope therefore 'deems it proper to forgo consultation with the rest of the magisterium' (Pontifex a requisitione et consultatione reliqui magisterii supersedere congruum putat). He declared that this would bring about concord among the bishops. Similarly Moriarty at the end of his speech, June 28, proposed that every dogmatic decree should contain the clause: 'Having obtained the opinions (adhibitis suffragiis) of our brethren the Cardinals of the Roman Church and of other masters in theology': 'for it would be absurd that the Pope

[4] Mansi, IV (52), 1183.

should be bound to consult the whole Church on defining matters evidently belonging to the constant faith of the Church : but on the other hand he is bound always to obtain some counsel.'[5]

Very little would have satisfied them. One proposed, ' as head of the Body of Christ and mouth of the Church '. Others, ' according to the deposit of the divine tradition ' ' from the faith of the teaching Church '. Of this kind was Ullathorne's amendment, ' when he defines *ex magisterio ecclesiae* '. It is a pity he was prevented from putting it forward at the debate, so that it would have been scheduled, commented on by the deputation, and put to the vote of the Council. It would probably have been ruled out for the same reason as the others, as being vague and uncertain in its practical application. All would have accepted it as a correct piece of theory, for they all vehemently repudiated the assertion that they were isolating the Pope or separating him from the magisterium of the Church. They would all have said that when defining a doctrine *ex cathedra*, he certainly defines *ex magisterio ecclesiae* : but they were bent on killing the Gallican *ex consensu ecclesiae*, and were perhaps hyper-sensitively shy of anything that could give any kind of countenance to it. They regarded too these anxieties of the Minority as unnecessary and unreasonable. It was unthinkable, they said, that any Pope in so important a matter as dogmatic definitions or condemnations should act so rashly as to neglect to seek counsel and advice, or to make a serious study of the question, proportionate to the gravity of the case : God's general providence and the guidance of the Holy Ghost should be relied on to prevent any such failure in taking proper human means. And we have seen that this was all the Minority bishops, as Hefele and Moriarty, wished to secure : they saw that to consult the whole episcopate in every dogmatic decree, every condemnation of propositions as heretical, would be impossible and absurd.

The considerable historical preamble introduced at the eleventh hour was intended to meet these objections, and did

[5] Mansi, IV (52), 928.

so in some measure : we have Ullathorne's word that it d meet his own hesitations ;[6] and Tarnoczy, Archbishop Salzburg, said the same and felt able to vote ' placet ' at t Final Session ; also some of the French bishops, and others doubt. The crucial sentence runs :

> The Roman Pontiffs according to the exigencies of tim and circumstances, sometimes assembling œcumenic Councils or asking for the mind of the Church spre throughout the world, sometimes by particular synod sometimes using other helps which divine Providence su plied, defined as to be held those things which with t help of God they had recognized as conformable with t Holy Scriptures and Apostolic Traditions. For the Ho Spirit was not promised to the successors of Peter, that His revelation they might make known new doctrine ; b that by His assistance they might inviolably guard a faithfully expound the revelation delivered through t Apostles, or the deposit of faith.

At the General Congregation of July 11, after Gasse speech, the ninety-six amendments to chapter IV, which h been in the bishops' hands since the 7th, were put to the vo The recommendations of the deputation *de Fide*, made in name by Gasser, were all carried by overwhelming majorities four important amendments were adopted, the rest rejecte The four adopted were :

the title, ' The Roman Pontiff's infallibility ', was chang to ' The Roman Pontiff's infallible magisterium ' ;

the historical preamble (§§ 2, 3, 4 of the decree) w incorporated ;

the new form of the definition was adopted ;

the canon was put under form of anathema, like the oth canons.[7]

[6] See Chapter XXIII, p. 5.
[7] Mansi, IV (52), 1231 ; *Lac* 421.

CHAPTER XXIV

# THE LAST WEEK AND FINAL SESSION

Wednesday, July 13, was the crucial day of the Council. At the General Congregation on that day, first was put to the vote the text of chapter III, 'The Primacy', and of chapter IV, 'The Infallibility', as amended at the preceding Congregations. They were voted on separately, by the usual method of a twofold standing up: each time 'by far the greater part of the Fathers' showed their approval, and 'by far the smaller part' their disapproval, by standing up.[1]

Then took place what may be called the trial ballot on the Constitution as a whole, proem and four chapters. The voting was vocal, by 'placet', 'non placet', 'placet iuxta modum', according to the somewhat cumbersome method, described by Ullathorne in letter of April 24 (page 262) and it took from an hour and a half to two hours; but it secured that each one took full public personal responsibility for his vote. When the voting was over the result was announced:

total number of votes 601,
placet 451,
non placet 88,
placet iuxta modum 62.

About 76 actually in Rome absented themselves from the Congregation.[2] Those who voted 'iuxta modum' had to put in a paper with the amendments they desired; these were to be printed and distributed before the next General Congregation.

The full list of votes is given in Mansi (IV (52), 1243). It will be of interest to examine it. And first the 'non placets'. The number had dwindled to 88 from the 140 that in January

[1] Mansi, IV (52), 1242.
[2] So in the Minority letter of 17th (below, p. 408).

had signed the protests against the bringing on of the infallibility question, when the Minority could reasonably count on being able to muster some 200 opposed to the definition. An appreciable number of bishops had left during these months, or had died; but the diminution was mainly due to that natural process of attrition to which minorities standing for evidently losing causes are inevitably subject.

A comparison by nations of the numbers of January and of July is of interest:

| | *Jan* | *July* |
|---|---|---|
| French | 33 | 24 |
| Austrian | 18 | 10 |
| Hungarian | 13 | 15 |
| German | 14 (1 Swiss) | 11 |
| Italian | 7 | 7 |
| North American | 24 | 9 |
| English and Irish | 4 | 5 |
| Oriental | 19 | 7 |
| Others (Portuguese, Argentina) | 4 | — |
| | 136 | 88 |

The French 'non placets' were: Cardinal Mathieu of Besançon, the Archbishops Ginoulhiac and Darboy, Bishops Dupanloup, Meignan, David, Foulon, des Loges, Maret, and the Bishops of Autun, Dijon, Luçon, Coutances, Soissons, Valence, Perpignan, Marseilles, Cahors, Bayeux, La Rochelle, Gap, Nice, and Hippo and Oran in Algiers.

The Austrians were: Cardinals Schwarzenberg of Prague and Rauscher of Vienna, Archbishop Fürstenberg of Olmütz (Moravia), the Bishops of Lemberg, Budweis, Triest, Pola, Gurk, Lavant, and Mgr. Strossmayer, whose jurisdiction lay partly in the Austrian and partly in the then Turkish Empire.

The fifteen Hungarians were a solid 'non placet' led by Simor of Esztergom, the Primate, and Haynald, Archbishop of Kalocsa; they were of various rites, Latin, Greek, Ruthenian, Roumanian.

The Germans were the Archbishops of Munich and Bam-

berg, Bishops Ketteler and Hefele, and the Bishops of Breslau Treves, Augsburg, Osnabrück, Ermland, Saxony, and the Army Bishop.

The Italians were: the Archbishop of Milan, the Piedmontese Bishops of Biella and Ivrea, and four from South Italy.

The North Americans were Connolly, Archbishop of Halifax, Canada; and from the United States, Archbishop Kenrick of St. Louis, Bishops Verot, Fitzgerald, McQuaid Rogers, Domenec, and the Bishops of Louisville and Marquette.

The Irish were John MacHale, Archbishop of Tuam, and Moriarty of Kerry; the English, Archbishop Errington, and Bishops Clifford of Clifton and William Vaughan of Plymouth.

The Orientals counted the two Patriarchs, Jussef, Greek Melchite Patriarch of Antioch, and Audu, the Chaldean Patriach of Babylon, and five others, Chaldean, Melchite Maronite.

These were the 88 who in the crucial trial ballot of July 13 voted 'non placet'. Not a few of those who had acted hitherto with the Minority, signing the series of protests put in from January till June, now voted 'placet iuxta modum'; the most conspicuous of these were Melchers of Cologne, Tarnoczy of Salzburg, McCloskey of New York, and the French Archbishops of Avignon, Rheims, and Sens. A certain number seem to have fallen out after signing the protest of June 4 against the application of the closure on that day; there is no record of their obtaining the formal leave required for returning to their diocese, or of their taking any further part in the proceedings of the Council: such were the Archbishop of Albi and Bishop Greith of St. Gall. The greatest break was in the United States bishops and the Orientals: Purcell of Cincinnati and Whelan of Wheeling had obtained the leave of the Council to depart at beginning of July, the former on plea of illness; of the other Americans several had gone home at Easter, and some now were 'placet'.

The 'placet iuxta modum' votes call for examination. There were sixty-two such, and the modifications desired

were handed in along with the vote. They were scheduled and distributed the following day, July 14.[3] Several bishops desired a number of modifications, so that the schedule ran to 163 numbers, and in reality there were fully 200 alterations proposed. Those on the proem and first two chapters (1-27) were of little importance: the Spanish Bishop of Urgell was still unconscionable enough to call, at this eleventh hour, for a rewriting of great portions of the entire Constitution, submitting his own idea of what the text should be!

On chapter III, the 'Nature of the Primacy', the modifications (28-48) were concentrated mainly on two points: (1) the omission of the clause 'quae vere episcopalis est'; (2) the removal of the clause 'aut eum habere tantum potiores partes', etc., over the manner of introduction of which there had been such acute controversy. Père Jandel, the great Master General of the Dominicans, urged this strongly; not that he questioned the doctrine, but because the clause was unnecessary, and its sudden introduction, when discussion was over, had caused great indignation, and suspicion in the minds of many Fathers, that it was a trick of the deputation to get the words voted without discussion: it would be the cause of many 'non placets'.

Nearly 120 of the desired modifications were on chapter IV, the Infallibility. This may seem an inordinate number of amendments sought to be introduced at the last moment; but it is to be remembered that the important addition to the decree (§§ 2, 3, 4), and the new form of the definition, though put to the vote and carried by large majorities, never had been discussed or debated at the General Congregation, so that no opportunity had been afforded for expressing disagreements in detail; thus the voting of July 13 was the only opportunity of proposing amendments on these important portions of the text.

There is no doubt that the changes conciliated not a few of those that had opposed or hesitated over the definition: Tarnoczy of Salzburg in his paper of modifications said that they had nearly satisfied him; and we know that they had

[3] Mansi, IV (52), 1263; *Lac* 432.

satisfied Ullathorne, and presumably the Archbishops of Avignon, Rheims, and Sens.

Others, however, those of the extreme papal school, were greatly displeased at them. They called for the suppression of the piece in § 2, that the Popes in exercising their infallibility had convoked Councils or had ascertained the mind of the Church, as imposing conditions on the Pope; one said that the new form of the definition was virtual Gallicanism; another that it made the infallibility of the Pope to be derived from the infallibility of the Church; others objected to the explanation of *ex cathedra*, as teaching the universal Church; many objected to the limitation of the infallibility to definitions of faith and morals, wishing it extended to far wider circles, after the way of Ward.

And on the other side, several still sought to bring in the bishops in some way, or at least the Church: the following clauses were suggested: 'innixus traditioni ecclesiarum'; 'certior factus de traditione catholica', etc. Cardinal Guidi wished to revert to the form 'tamquam de fide tenendum'.

In regard to the final canon, some called for one couched in stronger and more explicit terms; others objected to the anathema, preferring the original form, 'let him know that he has fallen away from Catholic Faith'. This was the burden of Ullathorne's 'ad modum': 'the introduction of the anathema had been made by the deputation at a time when there was no longer any opportunity of discussion.'

It may be said that the sixty-two who voted 'placet iuxta modum' were about equally divided between those who wanted the doctrine made more strongly papal, and those who wanted it toned down.

The 'iuxta modum' exceptions were scheduled, printed, and circulated on July 14; and that same day the deputation *de Fide* considered them at two sessions.[4] All were rejected except two:

(1) Many had objected to a citation from St. Augustine, as not being in the real sense of its original context: it was resolved to recommend the suppression of the citation; as

[4] Mansi, v (53), 275; *Lac* 1695.

also of one from the famous passage of Irenaeus, which was recognized as not referring directly to infallibility.

(2) Some asked that it be explicitly stated that the infallibility of a papal definition was independent of the consent of the bishops, whether antecedent, concurrent, or consequent. One had suggested: 'etiam ante episcoporum assensum'. The deputation resolved to recommend that the final clause, 'ex sese irreformabiles esse', be amended: 'ex sese irreformabiles esse, non autem ex consensu Ecclesiae'.

On Saturday, July 16, took place the last General Congregation. The spokesmen of the deputation *de Fide* went through the amendments summarily, briefly stating the reasons of the rejection of all but the two. D'Avanzo of Calvi took the proem and the first two chapters; Zinelli of Treviso took the third—he made it clear that the canon, even with the addition, does not touch the disputed question, whether bishops receive their jurisdiction immediately from God, or mediately through the Pope.

Then Gasser took the amendments to the fourth chapter: his explanation of 'definit' has already been given; in the name of the deputation he recommended the adoption of two of the amendments as above, all the others having been rejected by the deputation.

The President announced that only the two amendments recommended by the deputation would be put to the vote, the other 161 being thus ruled out.

The first amendment, the omission of the words of St. Augustine, was carried almost unanimously; the second, the clause 'non autem ex consensu Ecclesiae', by a large majority; 552 Fathers were present.

After the voting, copies were distributed of a solemn protest by the five Presidents, read aloud from the ambo, against the campaign of misrepresentation that had been carried on against the Council by the hostile press and by anonymous pamphleteers:[5]

[5] Mansi, IV (52), 1318; it is printed by Manning, *The Vatican Council* p. 181, in *Petri Privilegium*.

Two anonymous pamphlets, *Ce qui se passe au Concile* and *La dernière heure du Concile*,[6] stand out as in a special way full of calumnies and disgraceful falsehoods, not only attacking the Council, but heaping injuries on the person of the Holy Father. We must not allow our silence to seem to give countenance to these calumnies ; and so we raise our voice in protest and declare that the things said in these pamphlets and in newspapers are false and calumnious, whether uttered against the Pope and the Apostolic See, or against the Council, and in particular the asserted lack of legitimate freedom.

Signed by the five Presidents.

The reading of this protest was greeted with general applause.

The President then called on all those who approved to show their approval by standing up.

All stood up and with loud voice protested their adhesion : many cried out, ' Anathema, anathema '.

When the Secretary declared, ' Almost all have risen ', some called out, ' Not almost all,—all—all ' ; but others, ' All except one ; one did not rise '. But it could not be seen who had not risen. After some confusion it was seen that all were standing up.

The President announced that the Pope wished the Council to go on without prorogation ; but leave was given to bishops to go to their dioceses for a time, if necessary.

Then the Fourth Public Session was proclaimed for Monday July 18.

So ended the eighty-sixth and last of the great General Congregations, attended nearly always by from 500 to 600 Fathers, or more.

These days were a time of painful crisis for the Minority bishops, and they were sorely perplexed how to act. On the evening of Friday, 15th, a deputation from them had obtained an audience with the Pope in hope of getting concessions that would secure a unanimous ' placet ' at the Public Session.

[6] They will be spoken of later, Chap. xxvi.

The deputation consisted of Darboy, Ginoulhiac, Simor, Scherr of Munich, Rivet of Dijon, and Ketteler. The next day, 16th, Darboy in a letter to the Pope, written at his command, set forth the nature of the overture that had been made :[7]

> They had asked for the omission of the clause imported into the canon of the third chapter in a way that had given occasion to so much protest : ' aut eum habere tantum potiores partes, non vero totam plenitudinem huius supremae potestatis ' ; and for the addition after ' munere fungens ' of the words : ' et testimonio ecclesiarum innixus ' ; or : ' et mediis, quae semper in ecclesia catholica usurpata fuerunt, adhibitis ' ; or : ' non exclusis episcopis '.
>
> Should these two concessions be made, and also the words ' quae vere episcopalis est ' be removed, nearly all those who had voted ' non placet ' at the General Congregation would vote ' placet ' at the Public Session. ' Quod faxit Deus et omnes ad unanimem sensum reducat ! '

It is said that Ketteler threw himself on his knees and with tears in his eyes said : ' Good Father, save us, and save the Church of God ! ' But Pius was not moved : he said it was probably difficult to alter what had been decided ; in any case, the matter ought to be addressed to the Council, not to him.[8]

The Council, following the lead of the deputation *de Fide*, instead of conciliating added at the last moment the clause ' non autem ex consensu ecclesiae ', making the definition still more unacceptable to the Minority.

This was on Saturday, 16th ; the next day, the eve of the

[7] Mansi, IV (52), 1322 ; *Lac* 992.

[8] Quirinus (p. 803) says that the Pope was moved, and was disposed to consider the representations of the Minority deputies ; but that Manning and Senestréy went to him and stiffened him against any concessions. This may be correct. Manning when speaking of the activities of the two opposed international committees of infallibilists and inopportunists, says : ' When they went to Pius IX we went also ; it was a running fight ' (see p. 173). But this is the only occasion of which there is record of the Minority bishops thus approaching the Pope.

Public Session, found the Minority in a state of divided counsels. At their meeting Haynald urged with vigorous eloquence that they should go to the Public Session and with clear and distinct voice, in face of Pope, of Europe, of kings and peoples, of the future, close this dolorous discussion with a resounding negative vote. He carried the meeting with him. The sequel is told in the words of one who was present, Mgr. Dupont des Loges of Metz : Dupanloup came late, and when he was told of the decision that had been arrived at, he opposed it and strongly urged abstention : 'We could not vote "placet", for nobody would believe us ; we could not vote "non placet", for the Catholic world would not understand us, and might be scandalized.'[9] This counsel prevailed by a vote of 36 to 28,[10] and a letter to the Holy Father was drafted :[11]

Most Holy Father,—In the General Congregation held on the 13th inst. we gave our votes on the schema of the first Dogmatic Constitution concerning the Church of Christ.

Your Holiness is aware that 88 Fathers, urged by conscience and moved by love of Holy Church, gave their votes in the words 'non placet' ; 62 others in the words 'placet iuxta modum' ; finally about 76 were absent and gave no vote. Others had returned to their dioceses on account of illness or other serious reasons. Thus our votes are known to Your Holiness and manifest to the whole world ; and it is notorious how many bishops endorse our view ; in this manner we have discharged the office and duty which lies upon us.

Nothing has happened since to change our opinion, nay rather there have been many and very serious events which do not allow us to depart from our position. We therefore declare that we renew and confirm the votes already given.

Confirming our votes therefore by this present document,

[9] Mourret, *Concile du Vatican*, p. 307.
[10] So Senestréy's Diary, Mansi, v (53), 286 ; *Lac* 1703.
[11] Mansi, IV (52), 1325 ; *Lac* 994.

we have decided to be absent from the Public Session on the 18th inst. For the filial piety and reverence, which very recently brought our representatives to the feet of your Holiness, do not allow us in a cause so closely concerning Your Holiness to say 'non placet' openly and in the face of the Father.

Moreover, the votes to be given in Solemn Session would only repeat those already given in General Congregation.

We return, therefore, without delay to our flocks, to whom, after so long an absence, the apprehensions of war and their most urgent spiritual wants render us so necessary; grieving that in the existing sad condition of things, we shall find the peace and tranquillity of consciences disturbed.

Meanwhile, with our whole heart, commending the Church of God and your Holiness, to whom we avow our unaltered faith and obedience, to the grace and protection of our Lord Jesus Christ, we are, of your Holiness, the most devoted and obedient sons.

This letter, dated 17th, bore fifty-five signatures. It was handed to the Secretary of the Council by Cardinal Schwarzenberg the next day before the Session, the original to be presented to the Pope, and a copy to the Presidents. With it were other letters signed by two German bishops (Breslau and Osnabrück), by three Austrians, and by the Piedmontese Bishop of Biella, asking that they be taken as voting 'non placet': sixty-one in all; the rest of the eighty-eight absented themselves without saying anything.

Among the signatories were twenty French bishops, headed by Cardinal Mathieu; the Hungarians were still the solid fifteen, with Simor and Haynald. The other groups had dwindled: of the Austrians were Schwarzenberg, Fürstenberg of Olmütz, Strossmayer, and four others; of the Germans, only Scherr of Munich, Hefele, the Bishops of Augsburg and Treves and five others; the North Americans were reduced to four, Connolly and Kenrick, Verot and

Domenec; from England and Ireland Clifford was alone; from Italy the Archbishop of Milan and four others. The most outstanding Minority names not found among the signatures were Cardinal Rauscher, MacHale and Moriarty, Errington, Melchers and Ketteler. These two last sent in letters of their own.[12] Melchers wrote that the modifications he had put in with his vote 'placet iuxta modum' showed that he could not with safe conscience vote 'placet' for the Constitution to be put forward the next day:

> Therefore with sorrowful mind I will abstain from voting, and return forthwith to my diocese. But I declare that I will submit myself most humbly to the decrees that will be passed by the Council and confirmed by the Holy Father.

In like strain Ketteler:

> As the concessions we asked for are not being made, in order that I may not have the utterly repugnant duty of saying 'non placet' in your Holiness' presence, I will depart this evening. But I cannot leave Rome without declaring to you, Most Holy Father, that I will submit myself most fully (plenissime) to the definitions of the Council, just as if I had been present and had voted 'placet'.

The alternations of counsels among the Minority bishops, as seen through the medium of the diplomatists' gossip at the Embassies, are reflected in Odo Russell's letters to Manning.[13] On Thursday, July 14, the day after the trial ballot, he wrote:

> Mgr. Darboy, who now takes the credit of the Minority vote to himself, was going to Cardinal Bilio to dictate his

[12] Mansi, IV (52), 1324; *Lac* 993.

[13] Purcell, *Life of Manning*, II, 437-47. Most of these letters are undated, except by the day of the week, and they are printed in hopeless chronological disarray. It is possible, however, to fix the precise dates of most of them.

terms. He tells us that, with the 'iuxta modums', and those who did not attend, he is sure of 140 'non placets'. At the French-German International he has recommended a solemn protest to be laid on the table of the Council after the 140 have voted—to declare that without moral unanimity, they do not feel bound, etc., etc.

I saw my colleagues, who all agree that the triumph of victory is at fever heat among the eighty-eight. They hope for more Oriental votes also, but I don't know on what grounds.

Two bishops left, Breslau and Budweis, I think. None left to-night. The death of the Bishop of Würzburg has alarmed many, and there may be a limited departure on Saturday, but everything is being done to prevent it. The excitement of Haynald is most curious to analyse.

The next day, Friday 15th:

The International determined this evening to send up a deputation at once to the Pope. . . .

In the event of a refusal on the part of His Holiness, the Opposition will vote 'non placet' *en masse*, and although seven Opposition bishops have left since Wednesday, they expect to be over a hundred 'non placets' at the Public Session.

On Sunday, 17th:

Darboy was ill and could not attend the International, so that Dupanloup had it all his own way, and the whole Opposition, for reasons unexplained, have decided NOT to attend to-morrow, at the suggestion of the Bishop of Orleans! A unanimous vote is therefore certain to-morrow! They are deliberating at present about an Address or Declaration to be signed by the Opposition, but it is not yet adopted.

Most of them leave to-morrow, but some few think of going to-night; none will venture to appear or vote to-

morrow. How curious the history of the last few days has been !

Cardinal Rauscher was going at 12 to-day to the Pope.

The same evening :

I went to the station this evening. About 20 bishops left—3 Bavarian, 4 French, 1 Dalmatian, and I spoke to Melchers of Cologne, Ketteler, Haynald, and Dupanloup ; the others I did not know.

To-morrow morning about 20 more will leave ; the rest to-morrow night.

Melchers would not sign the collective Address or Protest, but drew up one of his own. Haynald thought the move a mistake, but was obliged to follow the rest ; he thought a 'non placet' vote more effective ; but many would not vote, although they would sign.

Not one will attend to-morrow, and the result will be unanimity. Evidently all feared to have to sign a confession of Faith they had been told would be presented to them to-morrow.

The fateful day of the Public Session, Monday, July 18, dawned in rain, after a night of thunder and lightning. St. Peter's was opened at 7.30 and the Session began at 9. The crowd was not such as had filled St. Peter's to overflowing at the opening Session, December 8 : the July heat had dispersed the visitors. The only royalty present was the Infanta of Portugal. A votive Mass of the Holy Ghost was celebrated 'sine cantu' by a Cardinal. Then the Pope entered and assumed pontifical vestments, the Litany of the Saints was chanted, followed by the hymn 'Veni Creator Spiritus', intoned by the Pope. A bishop approached the throne and received from the Pope the Constitution 'Pastor aeternus', and mounting the ambo read it through in a loud and clear voice. Then he put the question : 'Right Reverend Fathers, do the decrees and canons contained in this Constitution please you ?' And the voting by 'placet' or 'non placet'

began. It was carried through under circumstances of unforeseen impressiveness. Mozley, the correspondent of *The Times*, was present and described the scene vividly :[14]

> The storm, which had been threatening all the morning, burst now with the utmost violence, and to many a superstitious mind might have conveyed the idea that it was an expression of divine wrath, as 'no doubt it will be interpreted by numbers', said one officer of the Palatine Guard. And so the 'placets' of the Fathers struggled through the storm, while the thunder pealed above and the lightning flashed in at every window and down through the dome and every smaller cupola, dividing if not absorbing the attention of the crowd. 'Placet', shouted his Eminence or his Grace, and a loud clap of thunder followed in response, and then the lightning darted about the baldacchino and every part of the church and the conciliar hall, as if announcing the response. So it continued for nearly one hour and a half, during which time the roll was being called, and a more effective scene I never witnessed. Had all the decorators and all the getters-up of ceremonies in Rome been employed, nothing approaching to the solemn splendour of that storm could have been prepared, and never will those who saw it and felt it forget the promulgation of the Constitution on the Church.
>
> The storm was at its height when the result of the voting was taken up to the Pope, and the darkness was so thick that a huge taper was necessarily brought and placed by his side as he read the words 'Nosque, sacro approbante Concilio, illa, ut lecta sunt, definimus et apostolica auctoritate confirmamus.' And again the lightning flickered around the hall, and the thunder pealed. The 'Te Deum' and the Benediction followed; the entire crowd fell on their knees, and the Pope blessed them in those clear sweet tones distinguishable among a thousand.
>
> The result of the voting was 'placet' 533, 'non placet' 2.

[14] *Letters from Rome*, II, 445.

The two 'non placets' were Fitzgerald of Little Rock, U.S.A., and Riccio of Cajazzo in the Kingdom of Naples. Fitzgerald had acted consistently with the Minority, and had voted 'non placet' on 13th. He obtained permission to leave, and on 17th sent a letter to the Secretary that he was going, and professing his intention of following in all things the decrees of Holy Mother Church and the Vatican Council. He changed his mind, however, and came to the Session. As soon as the Pope had confirmed the Constitution, he came down from his place and going to the throne professed his acceptance: 'Modo credo, sancte Pater'—'Now I believe, Holy Father'.[15]

Riccio's case is less clear. To begin with, he was one of those who in February had signed, along with two other Italian bishops, a special postulation in favour of the infallibility being defined, and this in very clear terms.[16] On July 13 he voted 'placet iuxta modum'; but his modification was almost a direct negative of the definition as proposed.[17] Like Fitzgerald, as soon as the Pope had confirmed the Constitution, he knelt before him, saying: 'Credo', and joined in singing the 'Te Deum' with the rest.[18]

After the Session Pius spoke to the assembled Fathers:

> This supreme authority of the Roman Pontiff, venerable Brothers, does not oppress but helps, does not destroy but builds up, confirms in dignity, unites in charity, and strengthens and protects the rights of his Brethren the Bishops. Therefore let those who now are judging in commotion of mind know that the Lord is not in commotion.[19] Let them bethink themselves that a few years ago, holding the opposite opinion, they abounded in Our sense and in the sense of the majority of this great Council;[20]

[15] Mansi, IV (52), 1328.
[16] Mansi, III (51), 672; *Lac* 941.
[17] Mansi, IV (52), 1292; *Lac* 452 (no. 114).
[18] Mansi, l.c., 1335, n.; *Lac* 1000.
[19] He is quoting the vulgate of 3 (1) Kings, xix, 19: non in commotione dominus; the English versions have 'earthquake'.
[20] He refers to the address of 1867.

but then they judged in the spirit of a gentle air. Can two opposite consciences exist in judging the same judgement ? Surely not. Therefore may God enlighten minds and hearts ; and since He alone doeth great wonders, may He enlighten minds and hearts, that all may come to the bosom of their Father, Christ's unworthy Vicar on earth, who loves them and longs to be one with them ; and thus being joined together in the bond of love, we may fight the battles of the Lord ; so that our enemies may not mock at us, but rather may fear, and at length the arms of malice may yield in the view of truth, and all may be able to say with St. Augustine : ' Thou hast called me into Thy admirable light, and lo I see.'

A few notes on ' placet ' votes will be of interest. Some who at the beginning and during the course of the Council had been of the Minority, but on July 13 had voted ' placet iuxta modum ', now voted ' placet ' : such were Tarnoczy of Salzburg, Primate of Germany, McCloskey, Archbishop of New York, and the French Archbishops Bernadou of Sens, Landriot of Rheims, Dubreil of Avignon. In all, 50 of the 62 ' placet iuxta modums ' of July 13 voted ' placet ' on 18th : among them the two leading Dominicans, Cardinal Guidi and the Master General, Père Jandel; also Ullathorne. There was no inconsistency in such a vote : one may properly vote for the third reading of a Bill, even after failing to get an amendment carried. Vaughan of Plymouth and two Orientals, after voting ' non placet ' on 13th, voted ' placet ' on 18th. Most of the English bishops had left ; besides Manning, Ullathorne, and Vaughan, only Cornthwaite of Beverley and Chadwick of Hexham took part in the final Session, voting ' placet '.

Of the North Americans there voted ' placet ', besides McCloskey, Spalding of Baltimore, Alemany of San Francisco, Williams of Boston, who all had consistently acted with the Majority ; also the coming man of the North American Church, James Gibbons, then Vicar Apostolic of North Carolina, afterwards Archbishop of Baltimore and Cardinal.

Dr. Ullathorne's last Council letter was written on 18th itself, on the point of setting out homewards :

> The great Session is over. The decree was voted by 533 'placets' to 2 'non placets' amidst a great storm. The lightning flashed into the aula, the thunder rolled over the roof, and glass was broken by the tempest in a window nearly over the pontifical throne and came rattling down. After the votes were given the Pope confirmed it at once, and immediately there was a great cheering and clapping from the bishops, and cheers in the body of St. Peter's. Then the 'Te Deum' began, the thunder forming the diapason.
>
> The Council is to go on with those who remain, and we are all to return by St. Martin's Day, November 11. But by that time no one knows what may be going on in Italy, or what may happen to suspend the Council.

On the next day war was declared between France and Prussia.

The attempt to carry on the Council was kept up during the second half of August, and on the 13th, 23rd, and 1st September General Congregations were held, attended by about 120 Fathers, at which were further discussed the schemata on discipline left unfinished in April.[21]

The outbreak of the war brought about the withdrawal of the French troops from Rome at the beginning of August ; early in September the Italian armies invaded the Pope's territory and advanced on Rome ; on September 20th a siege of Rome began and after a few hours, once a breach was made, the garrison, by the Pope's orders, capitulated, and the Italian troops entered and occupied the Eternal City. Just a month later, October 20, the Pope issued an Apostolic Letter, suspending the Council indefinitely, until more propitious times.

[21] Mansi, v (53),1.

CHAPTER XXV

# AFTER THE COUNCIL

After the Council not one of the Minority bishops failed to make known his adhesion to the Constitution *Pastor aeternus* of July 18, not one of them took part in any schismatical movement.

When I have said this speaking to Protestant audiences, I have been met with the question: 'What! Do you say it was right for these bishops to go against their intellectual convictions?' Yes, surely; that is what it is to be a Catholic: when the teaching Church finally and formally declares a belief to be an article of Catholic Faith, it is the part of every Catholic to give up private judgement and accept the judgement of the Church that the doctrine is part of the divine revelation: just as a good old-fashioned Protestant, once he recognizes that some doctrine is taught in the Bible, will accept it as the revealed Word of God. And so every one of the bishops finally made this act of submission to the teaching authority of the Church. But in a few cases—surprisingly few, not half a dozen—there was a period of hesitation, and an interior struggle. These cases will be spoken of in due course.[1]

Other than what might be expected, no hesitations came from France. No difficulty arose from any quarter. Not from the side of the Government: Ollivier was still Minister, and he had all along been against any governmental interference; after his fall the disasters of the war and the Com-

[1] This chapter is based principally on Granderath's 'History' (III, Bk. iv, cc. iii-ix, p. 542 to end: the reader is reminded that pages cited are those of the German edition, preserved in the lower margins of the French): and on Ollivier, *L'Église et l'État au Concile du Vatican*, II, c. ix, 'Après la Définition': his position of a detached but understanding onlooker gives a special value to his appreciations. The official documents of the bishops' adhesions are in Mansi, V (53), 935-1062; they are given summarily in *Lac* 995-1004.

mune entirely filled the minds of public men and diverted them from ecclesiastical affairs. Not from the group of Catholic liberals: immediately, on July 21, their daily organ, *Le Français*, fulfilled the promise of the *Correspondant* just before the Council, (p. 101), declaring: 'The definition has put an end to all controversy; what has become for every Catholic a matter of dogma, has passed completely out of the domain of open opinion. May all minds accept the judgement of the Church with a perfect, sincere and filial submission, as we hereby do.' Not from the lower clergy: the great bulk of the clergy were overwhelmingly Ultramontane, and most of the French Minority bishops had been harassed by protests and remonstrances from their clergy;[2] Ollivier testifies to the prevailing Ultramontanism of the clergy (op. cit., 1, 298, 314, 534[3]). Not from the rank and file of the Catholic laity, who appear to have enthusiastically welcomed the definitions. And lastly, not from any one of the Minority bishops.

The first to speak was Dupanloup: still on the journey home, on July 20, he wrote to Cochin, editor of the *Correspondant*: 'The great affair has been decided against us. Therefore, nothing, not a word, that could be understood in bad sense; and let all be in praise of the Pope, who has been inspired therein as St. Peter and as Vicar of Jesus Christ. It would be impossible to act more straight than he has done—Impossible d'aller plus droit qu'il ne l'a fait.'[4]

Cardinal Mathieu, Archbishop of Besançon, the head of the French group of opponents to the definition, declared his adhesion on August 8: he wrote to the Pope: 'I declare that I purely and simply, with whole heart and soul, adhere to the dogmatic definitions pronounced by Your Holiness on July 18.' A week later Ginoulhiac, Archbishop of Lyons, wrote to the Pope: 'Bishops take part in the Council in a twofold capacity: as judges of doctrine they vote according to their conscience; but as simple faithful, when a decree

[2] Cf. *Lac* 1444.
[3] 'The immense majority of the clergy of the second order.'
[4] Mourret, op. cit., p. 316.

has been made and confirmed, they accept it without reserve, and defend it to the utmost of their power: so I accept the decree with a sincere submission of my own judgement, and with my whole heart I adhere to the definitions.'

David of St. Brieuc was one of the stiffest opponents of the definition; yet during the debate, at the time of greatest friction, he made clear in a pastoral letter to his flock at the beginning of June what his attitude would be, in words so remarkable as to be worthy of preservation:[5]

> It is one of the glories of the Catholic Church never to make a truth an object of the formal obligatory belief of the faithful without a full and searching examination, where all the reasons are produced; and every bishop, as an official witness and judge of the Faith, raises a free voice to express, before God and before the Church, all that he finds in the depths of his conscience. And from this rigorous examination, from this discussion, which exposes to the light all the aspects of a doctrine, there results a certitude superior to all human certitudes. But this is still only preparation for the definitive work; the divine element has not yet intervened. After all the reasons have been heard, and all the witnesses collected, after the Council has deliberated in full maturity and liberty, then the Church, by the organ of her Head, pronounces and defines. At that moment every other voice than hers must be silent: the Church teaches; the world bows down and believes: God has spoken!

He now wrote to the Pope in October declaring his adhesion, simply and from his heart, to the Constitution. Maret made a similar declaration of adhesion, and a year later made a retraction of anything in his book counter to the definitions, and withdrew it from circulation.

By the end of the year practically all the French bishops who had opposed the definition had signified their acceptance of it, either by letter to the Pope, or by pastoral, or by promul-

[5] *Lac* 1436.

gation of the decrees in their diocese. The investment of Paris and the occupation of Orleans by the Germans delayed the adhesions of Darboy and Dupanloup; but no sooner were communications reopened than they sent to the Pope letters with assurance of their loyal acceptance of the *Pastor aeternus;* their words have already been cited (see pp. 97, 117). The words of the French bishops are all of the like tenor; the case, however, of Mgr. Las Cases, of Constantine and Hippo in Algiers, stands out as unique and deserves to be put on record. On his death in 1882 the following instruction was found in his will:[6]

> If there be a discourse at my funeral, the preacher must not say that at the Council I was only 'inopportunist'. Brought up in anti-infallibilist doctrines, during the Council I remained fixed in my opinion so long as the Council had not pronounced; but on the morrow of the definition God gave me the grace to be able to say with entire truth, in the fullness and calm of my faith, 'I believe to-day in the infallibility as thoroughly as I disbelieved in it yesterday'.
>
> To say that such bishops as myself were but 'inopportunists' is to lessen that incomparable triumph of Catholic Faith after the Council, whereby the Minority bishops came forth, without exception, docilely submissive to the definition, after having loyally, courageously, respectfully combated it so long as it had not become an article of Faith, and their conscience compelled them to defend what they believed to be the true doctrine of the Church.

In Germany great trouble arose—not on the part of the bishops, whose conduct was beyond reproach. The course of events there and the grievous schism that broke out, may best stand over to be treated of in the last place.

In Austria no serious trouble arose. Cardinal Rauscher straightway on his arrival at Vienna promulgated the decrees, August 8. Cardinal Schwarzenberg seems at first to have had the thought of holding the Opposition together for the

[6] Mansi, v (53), 1042; *Lac* 1002.

expected reassembling of the Council that same winter. The mentality of those bishops who hesitated about promulgating the decrees was this: the Council is not yet over, the decrees have not yet been signed by the bishops: in all œcumenical Councils the decrees were signed by all the bishops: 'Ego definiens subscripsi': at Trent the decrees of 1547 and 1552 were not thus signed, and were not confirmed by the Pope or promulgated, until the close of the Council in 1564. Hefele's hope was that on reassembling, the Council would take in hand the schema 'de Ecclesia', and in chapter IX, on 'the Infallibility of the Church', there would be an opportunity of supplementing the definition of the Pope's infallibility so as to bring out in some way that his infallibility issues from that of the Church; which was what Hefele and most of the Minority bishops contended for.[7]

With this view of holding the Opposition together, Schwarzenberg early in September wrote to Cardinal Mathieu to sound him as to the mind of the French bishops. The answer dispelled all hopes from that quarter:[8]

> I have ascertained that the French bishops of the Minority will not make any further representations to the Pope or the Council concerning the decisions of July 18. They accept the past without reserve, and do not wish to embark on any discussion of the œcumenicity of the Council, which might provoke the greatest difficulties and the most deplorable scandals.

The action of the German bishops, to be spoken of just now, made it clear that nothing of the kind was to be looked for from them. Accordingly by the end of December Schwarzenberg wrote, in response to a pressing invitation from the Pope, that as soon as he had received the announcement of the prorogation of the Council he had in mind the promulgating of the decrees; now having received the Holy

[7] See letter to Döllinger and to his clergy, Granderath, III, Bk. iv, c. iii, p. 563.
[8] Granderath, l.c., c. v, p. 591.

Father's special mandate, he would do so without delay. And in January they were promulgated to the diocese.

The Austrian Government put no obstacle in the way of the publication ; it took, however, the occasion afforded in order to denounce the Concordat of 1855, some of the articles of which had become hard of observance since liberal Governments had been in office in Austria. The reason assigned by the Minister, von Beust, was that the new decrees changed the condition of things, in that they made the Pope arbitrary judge in questions affecting Church and State, and able to bind Catholics in conscience on matters infringing the rights of the State.

In Hungary another situation arose. The Hungarian bishops had been the block most solidly opposed to the definition to the last moment, the letter of July 17. Yet on their return home they agreed in August to send instructions to the confessors in their dioceses, that both in the confessional and out of it they should declare that all Catholics are bound to accept, as an article of Catholic Faith, the doctrine of papal infallibility as defined ; also that each bishop should, in the most prudent way, publish the decrees. Here the Hungarian Government intervened to warn the bishops that the decrees might not be published without the ' placitum regium ' or royal ' placet '. The Primate, Simor of Esztergom, in the name of all the bishops, made a protest to the Emperor ; and he issued a series of three pastoral letters, setting forth to clergy and people the contents and teaching of the Vatican decrees. Several others promulgated the decrees in spite of the Government's prohibition, and all made known at Rome their adhesion.

Haynald alone showed any hesitation. He made no move for a year, till in June 1871 he had from Cardinal Antonelli an energetic letter calling on him to declare at Rome his adhesion, and to publish the decrees officially in his diocese. He replied that had the other Minority bishops persevered in their opposition he also would hold out ; but they had practically all accepted the decrees, and so he recognized the moral unanimity needed in the definition of a dogma of faith : he

therefore as a Catholic submitted and received the doctrine. He renewed, however, the complaints about the procedure at the Council. At a diocesan conference, October 1871, he made the following declaration:

> As the Vatican decrees have been accepted, almost without exception, by all the bishops of the Catholic world, every Catholic, no matter what may have been his personal scientific conviction, is bound in conscience to look on these doctrines as teachings which Jesus Christ has delivered to His Church by Peter, and consequently to accept and hold them.

Strossmayer's hesitations lasted longer. He seems at first to have been disposed to dally with the old Catholic movement, writing to Döllinger and other leaders that he did not recognize the œcumenicity of the Council or the validity of its decrees, on account of lack of proper liberty; but he made it clear he would join in no revolt, no schismatical movement. Finally he published the decrees in December 1872.

Strossmayer was subjected to the annoyance of a forged speech in his name, *Papa e Vangelo, discorso di un Vescovo al Concilio*, written by an apostate friar bitterly hostile to the Catholic Church. The 'speech' was translated and printed in the press of many lands. It was printed in the *Guardian* of June 28, 1871, with a leader, and reprinted as a pamphlet. Strossmayer repudiated it indignantly again and again; still the annoyance went on during twenty years. Now that the Acts are printed it is clear that no such speech was made at the Council by any bishop. Strossmayer's real speech, on June 2, is in Mansi, IV (52), 391-404. In these circumstances it is deplorable to think that the bogus speech is still being printed and circulated as genuine: I have just seen a copy, 'printed at the Nile Mission, Cairo, 1928'.[9]

The leading Italian opponent of the definition, the Arch-

[9] In the British Museum catalogue there is no indication that the speech is a forgery. See Granderath, l.c., c. iv, p. 584.

bishop of Milan, preaching in the Duomo on the feast of the Nativity of the Blessed Virgin, September 8, the year of the Council, made a public profession of faith in the infallibility of the Pope, as defined at the Council.

Of the North American bishops, Verot, the 'enfant terrible', was one of the first of the Minority to declare his adhesion; he did so before leaving Rome, July 25. Similarly Connolly of Halifax immediately on arrival home. Kenrick of St. Louis, on the day of his return to his diocese, in a public speech submitted himself with full obedience to the authority of the Church. He was called on to reprobate publicly things in the 'Concio habenda at non habita', which had been examined by the Index and declared to contain gross errors: a retraction would save the 'concio' from being put on the Index. He replied that he considered his formal acceptance of the decrees to be enough: nothing more was heard of the matter. A letter to Acton is printed by Schulte, and in part by Granderath:[10] in it Kenrick declares that his acceptance was an act of pure obedience to the authority of the Church, from which he never had a thought of separating himself; he submitted himself most unreservedly, taking the words of the decree in their strict and literal significance; but his submission was not grounded on the removal of his motives of opposition; he reconciled himself intellectually to submission by applying the theory of development; he intended to issue no pastoral on the Council, and not to preach or speak on the papal infallibility; nor would he say that it is certainly in Scripture.

Kenrick was the object of much criticism at the time of the Council and since; he was perhaps the stiffest opponent of the definition. The following anecdote, recorded by Cardinal Gibbons, shows the view taken by Leo XIII of the opponent bishops:[11]

> Dr. Kenrick was violently opposed to the definition, not only because of what he considered its inopportuneness,

[10] Op. cit., III, Bk. iv, c. v, p. 606.
[11] *Retrospect of Fifty Years*, I, 32.

but because he did not see that it was part of the Deposit of Faith.

Years afterwards somebody spoke of him to Leo XIII and criticized his attitude during the Council; upon which the Holy Father replied indignantly: 'The Archbishop of St. Louis was a noble man and a true Christian bishop. When he sat at the Council as a judge of the Faith he did according to his conscience; and the moment the decision was taken, although it was against him he submitted with the filial piety of a Catholic Christian.'

The two Irish 'non placets', MacHale and Moriarty, seem to have been the only ones never called on to make a formal adhesion or to promulgate the decrees. As a matter of fact they made no move until 1875, when at the Synod of Maynooth, in union with the rest of the bishops, they signed a joint pastoral enforcing the definition of infallibility as of Catholic Faith. Moriarty's mind is fully disclosed in the letters to Newman (Chapter XVIII).

Clifford of Clifton signified his adhesion on December 3, 1870. Two letters of his to Newman are of interest. The first is of August 15, 1870:

> The position of affairs as regards the Council at present seems to be as follows. Most of the bishops of the Minority were of opinion that the only thing to be done at first is to wait the course of events. It is evident that any active steps taken at present by members of the Minority would at once provoke action on the part of the violent party, and then schism would be the only alternative, which of course is evidently wrong. On the other hand, the Council is not yet concluded, the bishops have not yet signed, and we are summoned to reassemble on 11th of November. It seems doubtful whether we shall be able to do so. If we do not, probably some measure will be taken to supply the want of signatures, and to publish the Council. If in addition to all that has occurred, the signatures of the bishops should be wanting to the Acts of the Council, grave doubts

would arise concerning the nature of the Council. Of course, even if the nature of the Council remained doubtful, still if the doctrines taught by it were generally accepted and believed, that would show them to be part of the teaching of the Church, and so the separate infallibility of the Pope would on that ground have to be accepted as of faith. But this also requires time.

The next is of December 9:

There is now no reasonable prospect of the bishops meeting again in Council for a long time to come; the doctrine has everywhere been openly taught without any organized stand having been made against it by the bishops of the Minority, several of whom have openly expressed their adhesion to it. As to the objections raised against the Council itself, they do not seem to me to affect the real point in question. The main fact is undisputed, that the Pope with the approval of a large majority of the episcopate has proclaimed a certain doctrine, which has been taught throughout the Church without any resistance being offered by those bishops who opposed it at the Council. The definition therefore must be accepted as the voice of the Church, and as such undoubtedly true.

We come now, in the last place, to Germany, where grave troubles broke out, leading to the Old Catholic movement and culminating in the Kulturkampf.

Straightway on arrival at Munich Archbishop Scherr[12] had an interview with the theological faculty of the University, July 21; after communicating the definitions of the 18th, and commenting on them, turning to Döllinger, the dean of the faculty, he said: 'We are going now to work anew for holy Church.' Döllinger replied: 'Yes, for the old Church.' 'There is but one Church, there is neither new nor old Church,' 'They have made a new one.'

Preparations were already afoot for an organized opposition

[12] Scherr was a Benedictine who had been Abbot of Metten.

to the Council. The chief mover and organizer was Dr. Johann von Schulte, professor of Laws at Prague University, a layman; his History of Old Catholicism is the chief source of information on the beginnings of the movement, as it prints a number of letters and authentic documents. Granderath's account is based upon it.[13] At the end of July a manifesto went forth from a number of Catholic laymen, university professors and teachers in the high schools, protesting against the Council; and the professors of the Catholic theological faculties at the Universities were invited to a conference at Nürnberg for August 25. There came from Munich, Döllinger and Friedrich; from Bonn, Reusch and Langen; from Breslau, Reinkens; from Prague, Schulte; and others less known: thirteen in all. They subscribed a declaration that they did not recognize the Vatican Council as œcumenical, and could not accept the third or fourth chapters of the Constitution *Pastor aeternus;* they appealed to a future Council properly œcumenical, to be held outside of Italy.

Thus faced with the threatening of a grave crisis, the German bishops, Majority and Minority alike, recognized that there was need of prompt action, were the danger of a very considerable schism to be averted. And so Melchers of Cologne organized a meeting of the bishops, again at Fulda; they met on August 30, and agreed to issue a common pastoral letter, which is so clear and fine a statement of the Catholic position, that it deserves to be placed on record:[14]

> The undersigned Bishops to the reverend clergy and faithful, greeting, and peace in the Lord.
>
> Having returned to our respective dioceses from the Holy Œcumenical Council of the Vatican, we consider it our duty as your chief pastors to address to you, dearly beloved in the Lord, a few words of instruction and exhortation. The occasion and reason for our doing so, and that

[13] Schulte, *Alt-Katholizismus*, 1887; Granderath, III, Bk. iv, cc. iii, vi. See also Ollivier, op. cit., c. ix, p. 385 ff., where a good account is given of the whole episode.

[14] *Lac* 1733; Manning gives it as appendix to his pastoral letter on the Council, October 1870, *The Vatican Council* in *Petri Privilegium*.

unitedly and solemnly, is found in the fact that many erroneous ideas have for several months been disseminated, and still, without authority, are striving in many places to gain acceptance.

In order, then, to maintain in their entire purity the divine truths which Christ our Lord has taught mankind, and to secure them from all change and distortion, He has established in His Holy Church the office of infallible teaching, and has promised and also given to it His protection and the assistance of the Holy Ghost for all times. On this office of infallible teaching of the Church reposes entire the security and joy of our faith.

As often as in the course of time misunderstandings of, or oppositions to, individual points of teaching have sprung up, this office of infallible teaching has in various ways, at one time in greater Councils, at another without them, both exposed and foiled error, and declared and established the truth. This has been done in the most solemn manner by the General Councils, that is, by those great assemblies in which the head and the members of the one teaching body of the Church combined for the deciding of the doubts and controversies in matters of faith which then prevailed.

These decisions, according to the unanimous and undoubted tradition of the Church, have always been held to be preserved from error by a supernatural and divine assistance. Hence the faithful in all times have submitted themselves to these decisions as to the infallible utterances of the Holy Ghost Himself, and, with undoubting faith, have held them to be true. They have done so, not as persons might suppose, because the bishops were men of mature and extended experience ; not because many of them were versed in sciences ; not because they had come together from all parts of the world, and therefore, in a certain sense, brought together the human knowledge of the whole earth ; not, lastly, because through a long life they had studied and taught the Word of God, and hence were trustworthy witnesses of its meaning. All this indeed gives to their declarations a very high, indeed perhaps the highest possible,

degree of mere human trustworthiness. Still, this is not a sufficient ground on which to rest supernatural faith. For this act, in its last resort, rests not on the testimony of men, even when they are most worthy of confidence, and even if the whole human race by the voice of its best and most noble representatives should bear witness to it; but such an act always rests wholly and alone on the truth of God Himself. When therefore the children of the Church receive with faith the decrees of a General Council, they do it with a conviction that God, the Eternal and alone of Himself Infallible Truth, co-operates with it in a supernatural manner, and preserves it from error.

Such a General Council is the present one which our Holy Father Pius IX, as you know, convoked in Rome, and to which the successors of the Apostles, in larger numbers than ever before, have hastened from all parts of the world, that they might, with the successor of St. Peter and under his guidance, consult for the present urgent interests of the Church. After many and serious debates the Holy Father, in virtue of his apostolic authority as Teacher, on April 24th and July 18th of this year, with the consent of the holy Council, solemnly published several decrees relating to the true doctrine about Faith, the Church, and its Supreme Head.

By this means, then, the infallible teaching authority of the Church has decreed, and the Holy Ghost, by the Vicar of Christ and the Episcopate united with him, has spoken: and therefore all, whether bishops, priests, or laymen, are bound to receive the decrees as divinely revealed truths, and with joyful hearts lay hold of them and confess the same, if they wish to be and remain true members of the One Holy Catholic and Apostolic Church. When then objections are raised, and you hear it maintained that the Vatican Council is no true General Council, and that its decisions are of no authority, do not allow yourselves to be led astray thereby, so as to falter in your devotion to the Church and in your belief and acceptance of its decrees; for such objections are wholly unfounded.

Bound together in the unity of faith and love with the Pope, have the assembled bishops, both those who in Christian lands administer well-established sees, and also those who are called to extend the Kingdom of God among the heathen in apostolic poverty,—bishops, whether they tend a larger or a smaller flock—these, as legitimate successors of the Apostles, have all with the same right taken part in the Council and maturely considered everything.

As long as the discussions lasted, the bishops, as their consciences demanded, and as became their office, expressed their views plainly and openly, and with all necessary freedom; and, as was only to be expected in an assembly of nearly 800 Fathers, many differences of opinion were manifested. These differences of opinion can in no way affect the authority of the decrees themselves; should even we not take into consideration the fact, that almost the entire body of the bishops who, at the time of the Public Session, still maintained an opposite opinion, abstained in the said Session from expressing dissent.

However, to maintain that either the one or the other of the doctrines decided by the General Council are not contained in the Holy Scripture and in tradition of the Church, those two sources of the Catholic faith; or that they are even in opposition to the same; is a first step, irreconcilable with the primary principles of the Catholic Church, which leads to separation from her Communion. Wherefore, we hereby declare that the present Vatican Council is a legitimate General Council; and, moreover, that this Council as little as any other General Council has propounded or formed a new doctrine at variance with the ancient teaching; but that it has simply developed and thrown light upon the old and faithfully preserved truth contained in the deposit of faith, and in opposition to the errors of the day has proposed it expressly to the belief of all the faithful; and, lastly, that these decrees have received a binding power on all the faithful

by the fact of their final publication by the Supreme Head of the Church in solemn form at the Public Session.

While, then, we ourselves with full and unhesitating faith adhere to the decrees of the Council, we exhort you as your divinely appointed pastors and teachers, and beseech you in love to your souls, to give no ear to any teaching contrary to this, whencesoever it may come. Cling all the more unwaveringly, in union so with your bishops, to the teaching and faith of the Catholic Church; let nothing separate you from the Rock on which Jesus Christ has founded His Church, with the promise that the 'gates of hell shall not prevail against it'. In view of the excitement which exists in consequence of unecclesiastical manifestations and movements against the decrees of the Council in several places, and which undoubtedly forms no small trial and danger to many souls, we cannot forbear from earnestly calling all the faithful to fervent prayer for the present great necessities of Church and State. Lift up, then, your hearts in faith and confidence to our Father in Heaven, Whose wise and loving Providence guides and rules everything, and Whose divine Son has promised most surely to hear us when we ask in His name.

Pray for the wants of Holy Church, especially for all who err or hesitate in their faith, that they may have the grace of a firm, decided, and living faith. Pray for the Supreme Head of the Church, the Holy Father, who most likely at this very moment is more than ever before in distress and embarrassment. Pray with confidence in the merits and infinite love of the divine Heart of Jesus Christ, invoking the powerful intercession of the Immaculate Virgin Mother of God.

And may the blessing of God Almighty descend upon you and remain with you all, in the name of the Father and of the Son and of the Holy Ghost. Amen.

This pastoral went out at the middle of September with seventeen signatures: Melchers of Cologne, Scherr of

Munich, Ketteler of Mayence, Dinkel of Augsburg, Eberhard of Treves, Krementz of Ermland, stalwarts of the Minority, all signed it; there were five names missing, Deinlein of Bamberg, Forster of Breslau, Hefele of Rottenburg, and two more.

Dinkel of Augsburg wrote in November a noteworthy letter to Schwarzenberg, printed by Granderath :[15]

> The movement launched by Döllinger would lead directly to schism, and in such a manœuvre he could take no part; if the modifications he had wished for in the definition were not adopted, he tranquillized himself by the thought that God has permitted otherwise: 'Yes, Eminence, this is my firm belief, that what has come about has come about by the Holy Ghost. And now I consider it my duty to protest against the misunderstandings that are being spread among the faithful on the subject of the infallibility, and to give a strict interpretation of the decree.'

He had in mind the exaggerated statements that were being disseminated as to the import and scope of the decrees.

Those of the bishops who had in their dioceses universities with Catholic faculties of theology, found themselves in the painful position of having to excommunicate some of the leading and most respected priests of Germany. Thus the Archbishop of Munich before the opening of the courses of theology had to call on all the professors of the faculty to accept the Vatican decrees: he could not allow ecclesiastical students to follow the courses of professors who did not accept the definitions of the Council. Seven, among them Haneberg, Abbot of St. Bonifaz, and Thalhofer, accepted the definitions without reserve; two, Döllinger and Friedrich, withheld their adhesion. In January Scherr wrote an affectionate personal appeal to Döllinger, whose close friend he was, asking for an express declaration, and pointing out that,

[15] Op. cit., III, Bk. iv, c. iii, p. 549; the whole chapter on the German bishops is of great interest.

failing this, he would have no option but to proceed to extreme measures. Döllinger asked for time to study the question afresh. Scherr gave him two months, till March 15.[16] All Germany was looking on at what was regarded on all hands as a veritable tragedy, Döllinger having been in time past the great champion of the Catholic cause in Germany. He asked for another fortnight: and then on March 28 he sent his final word, printed in the Augsburg *Allegemeine Zeitung*:[17]

> He asked to be allowed to appear before a board of the bishops, and undertook to show that the new decrees have no foundation in Scripture or Tradition, and that they are incompatible with the constitution of the modern States of Europe. They lead, as their inevitable corollary, to the 'Unam Sanctam' of Boniface VIII, and to the Syllabus, and numberless other pronouncements, now become infallible. The Pope by the one word 'Orbi' (to the whole world) may now make an article of faith of every sentence, every doctrine, every command. There is no right of opposition to his will; there is neither individual nor corporative liberty. God's tribunal and the Pope's are identically the same. This system will never be accepted in German regions. 'As Christian, as theologian, as historian, as citizen, I cannot accept this doctrine.' He denied of course the œcumenicity of the Council because of lack of proper liberty: the only other Council claiming to be œcumenical, at which a full and thorough examination of tradition was hindered by those in power, was the 'Brigandage of Ephesus', 449. The vast majority of bishops from the Latin countries lacked the will or the intelligence to distinguish truth from falsehood.

Ollivier, who, though no Catholic, understood very well

[16] Reusch, one of Döllinger's adherents, printed after his death the full correspondence: *Briefe und Erklärungen von I. von Döllinger über die Vat. Decrete*, 1869-87.

[17] Granderath, l.c., p. 625; Ollivier, II, 386.

the Catholic system, comments indignantly on the intemperate character and the extravagance of this manifesto :[18]

> In using such language Döllinger goes off the lines visibly. To compare the Vatican Council with the Brigandage of Ephesus is to go beyond all known limits of exaggeration. To declare *ex cathedra* from the Munich professorial chair that the majority of bishops divinely instituted as successors of the Apostles, and their Head, a Latin also, are ignorant cowards, is an act of personal omnipotence and infallibility far more intolerable than the Pope's, which after all is only the Church's in action.

On April 2 the Archbishop of Munich issued a pastoral warning his flock, and also wrote again to Döllinger, that to reject the dogmatic constitutions of an œcumenical Council was heresy, and involved *ipso facto* the major excommunication. On April 17 Döllinger and Friedrich were stricken with excommunication.

The like painful crises were being transacted at Bonn, where the Archbishop of Cologne had to excommunicate recalcitrant professors of theology, as Reusch and Langen ; and at Breslau. Here the Prince-Bishop Forster, who like the others recoiled from any thought of revolt, found himself in an embarrassing position. Most of his clergy, as he says in a letter to Schwarzenberg, and of the Catholic nobility, and of the people, disapproved of the line he had taken up at the Council. On the other side, certain professors, as Reinkens the foremost professor and priest of the diocese, had thrown in their lot aggressively with the movement of revolt, and were courting excommunication. In his trouble of mind he appealed to the Holy Father to be allowed to resign his episcopal charge. But the Chapter and clergy and laity of the diocese sent a counter-petition, and he received from Pius a letter bidding him continue. In October he suspended Reinkens, and at a later date pronounced sentence of excommunication.

[18] L.c., p. 387.

In May 1871 the German bishops issued another joint pastoral on the Council, this time signed by all, with the single exception of Hefele, who, however, had just made his submission. He seems to have been the bishop who found the greatest difficulty in accepting the definition of the infallibility. Yet he did not want much; it was the old bugbear of the apparent 'separate' infallibility that scared him: 'If it were declared that before any definition the Pope must consult the Church in the manner most suitable for the particular case, one could reconcile oneself to the infallibility;' so he said in a letter to Döllinger. He thought of resigning his diocese. His clergy grew restive at his hesitation, and began to ask if he had incurred excommunication. Rome was bringing silent pressure to bear, by withholding dispensations he applied for in marriage cases. However, after a severe mental conflict, he published the decrees to his diocese, and wrote to the Nuncio his acceptance, April 1871.

It is not to be supposed that the submission of faith came automatically or easily to men like Hefele, or Haynald, or Forster, or Strossmayer, or Schwarzenberg. There was a period of hesitation and interior struggle and conflict, that had to be battled through, before Catholic principle came out victorious over private judgement. A similar battle, the struggle between the spirit and the flesh, has to be fought out in every life over temptations of one kind or another. A letter of Hefele's of the time of struggle was disloyally made public against him. He published in reply:

> I wrote this letter in the time of my inward conflict, which went on for some months, until I was able, by submitting myself frankly to the highest authority of the Church, to reconcile myself to the decree of the Council. What I foresaw has come about: this act has drawn on me many attacks; but it has, on the other hand, given me back interior peace.

Naturally those who were fomenting revolt against the Council saw with bitter disappointment the German bishops

one after the other adhering to the Council; they had hoped that some of them would hold out and take the lead in the protest. And so they were subjected, Hefele above all, to violent attacks for their submission. And the secular press throughout the world upbraided them as men who through fear of a conflict with authority stifled conscience and made profession of beliefs they did not really hold. Ollivier here again is worth listening to:[19]

> The dissidents and their supporters in all countries launched every kind of sarcasms against the bishops of the Minority who after opposing the definition, submitted to it: they are renegades, cowards, puppets. No, they are men of honour and of good sense. Men of honour: during the contest all had said, as Mgr. Darboy: 'Whatever the Council does or decides, faith teaches us that it will be rightly done and rightly decided' (April 20);[20] they have all kept their word. Men of good sense: their view not having prevailed, they have not been obstinate in a disastrous self-love, they have preferred the common good to themselves, and have ranged themselves to the view of the majority; they have reasoned well. Conscience, you say? What is your conscience in comparison with that which according to your faith, Jesus Christ kindled at Rome to illuminate the world?

He goes on in an eloquent and indignant remonstrance with those responsible for the Old Catholic schism.

On April 10, 1871, a Committee of Action was formed at Munich, the first act of which was to call on the King of Bavaria to forbid the teaching of the Vatican decrees in public institutions, and to 'place himself at the head of the movement against Roman impudence and ignorance'. In June a conference of leaders was held which adopted and promulgated a manifesto as the official programme of the Old Catholic movement: the central article was that each civilized

[19] II, 394.
[20] *Lac* 1407.

Catholic nation should, without prejudice to its union with the Universal Church, be free to ordain and perfectionate its own ecclesiastical constitution according to its national character, by a concord of clergy and laity. Reinkens was consecrated by the Jansenist Bishop of Utrecht as Bishop of the Old Catholics of Germany.

The Governments of the German States, Prussia, Bavaria, Baden, Württemberg, threw themselves into the conflict on the side of the revolt, and supported it with all their influence. The struggle reached its climax in the Prussian Kulturkampf, in which Bismarck put forth all his power to form a national Church. Few now remember the facts of the veritable persecution of the Church in the Prussian dominions, which included the Catholic Rhineland, when nearly all the bishops and great numbers of priests underwent imprisonment, fines, exile, for their fidelity to Church and Pope, the Vatican decrees being the reason put forward. Ollivier gives a good account of the struggle.[21] Against Bismarck's boast that he would never go to Canossa, he prophesied, truly, 'You will go to Canossa.' The persecution of the Catholic bishops and the State support given to the Old Catholics scotched the Old Catholic movement in Germany. The faithful rallied to their imprisoned bishops and priests. Bismarck tried to gain over the lower clergy by bribes and promises of independence and emolument: 'They little know in Berlin,' said Ollivier, 'the stuff that Catholic priests are made of.'

The German Old Catholics seem not to have exceeded some 50,000, mostly in Bavaria; in the German-speaking parts of Switzerland the movement had a greater vogue and numbered 70,000; there were 10,000 in Austria. In France it struck no roots, nor in any Latin country. At the time of greatest expansion the Old Catholics seem never to have numbered more than some 150,000, and they have since dwindled to a much smaller figure, as the original adherents died off.

Döllinger early dissociated himself from the movement, as at

[21] L.c. 408 ff.

successive Congresses such Catholic elements as clerica celibacy, auricular confession, fasting and abstinence, were discarded. He lived on for twenty years in the isolation of an excommunicated Catholic, recognizing the excommunication never saying Mass or approaching the Sacraments. Leo XIII made overtures more than once, but he never could be induced to accept the definitions. In October 1887 Mgr Ruffo Scilla, just appointed Nuncio at Munich, made an appeal to him. Döllinger wrote :[22]

> Moi, je veux pas être membre d'une société schismatique ; je suis isolé. Persuadé que la sentence lancée contre moi est injuste et nulle de droit, je persiste à me regarder comme membre de la grande Église Catholique. . . . Ce que j'ai écrit suffira, me semble-t-il, pour vous faire comprendre qu'avec de telles convictions on peut être dans un état de paix intérieure et de tranquillité d'esprit, même au seuil de l'étérnité.

The end came three years later. When he was ninety he had an unexpected stroke, and seems not to have recovered full consciousness. If so, both statements are untrue, that he refused the ministrations of a Catholic priest, and that he accepted those of the Old Catholic Friedrich. Friedrich did administer Extreme Unction to him while semi-conscious. Every priest, even excommunicate, as Friedrich was, has faculties *in articulo mortis*.

[22] *Briefe und Erklärungen*, as above.

CHAPTER XXVI

# ŒCUMENICITY OF THE COUNCIL: ITS LIBERTY

It has been seen in the preceding chapter that the Old Catholics, and Döllinger in particular, based their refusal to accept the Vatican definitions on a denial of the œcumenicity of the Council; and the specific reason they gave for denying its œcumenicity was the failure of proper liberty at the Council. The same charge against the Council has been the stock-in-trade of all hostile to it and to the Church, Quirinus, Pomponio Leto, the author of *Ce qui se passe au Concile*, Salmon. It seems therefore necessary to go, once for all, into this matter.

The objections were based on the Rules of Procedure themselves, and on the manner in which they were applied and worked.

Three objections to the Rules themselves were raised on constitutional grounds: (*a*) the restriction on the 'jus proponendi', or right of bishops to propose matters at the Council, by subjecting it to the Congregation *de postulatis* and the Pope; (*b*) the closure; (*c*) need of moral unanimity for decrees on Faith. These points have been dealt with in Chapter XIII.

Döllinger's charge against the Council was, we have seen, that those in authority, by the imposed rules of procedure and by the action of the Presidents, made impossible a full and thorough examination of the case in regard to the Pope's primacy and infallibility, so that proper liberty of discussion had not been afforded. Anyone who will glance through the fifteen hundred columns of Mansi that give the bishops' written comments and their speeches on the primacy and infallibility will hardly endorse this allegation. Dr. Ullathorne's judgement may be put on record:[1]

[1] Pastoral letter, October 1870; see *Life of Bishop Ullathorne*, II, 73.

Every condition of a full and free debate was satisfied, the question was considered on all its sides, both by writing in the closet and by the sifting process of public discussion. I might add that, in addition to the public discussions, there were many private lights contributed towards the elucidation of the question; for no sooner had the doctrine been mooted than a number of pamphlets began to appear, and were left at the residences of the bishops. Of these I received about sixty. Written on different sides of the question, most of them exhibited both learning and ability; and several of them were known to have been the productions either of leading prelates of the Council or of skilful theologians.[2] And if amongst them were to be found a considerable number of lucubrations opposed to the definition, this only proved more and more that all that could be said in opposition was fairly said out, and had a fair opportunity of being considered.

Anyone who has doubts as to whether the objections and difficulties urged by the opposing bishops in their written comments, as lodged with the deputation *de Fide*, were fairly and fully set out in the Analytic Synopsis circulated among the bishops before the debate, would do well to look at Acton's *Sendschreiben* of September 1870, wherein is a string of most strongly worded objections culled from the Synopsis.[3]

When this Synopsis, and the powerful speeches delivered on both sides, and the sixty pamphlets or tractates, are all taken into consideration, Ullathorne's verdict will hardly be disputed, that the case, pro and con, had been very fully laid before the bishops, and they had ample materials for forming a reasoned judgement.

The complaints of interference with due liberty find their

[2] Dechamps and Dupanloup, also Rauscher, Schwarzenberg, Hefele, Ketteler. I have not been able to find a collection of these pamphlets: I hoped to, in the Acton Library at Cambridge, but was disappointed, there being little in it relating to the Council. A few of the principal items are at the Oratory, Birmingham.

[3] Copies of the *Sendschreiben* are at British Museum and at Downside.

most authentic expression in a French letter printed in *The Times* of May 3, 1870, purporting to have been written by one of the French bishops to a friend in France. It is referred to in a curious story told by Ullathorne on June 14 (see above, p. 363f.). Its genuineness was doubted at the time; but I do not think there can be any question but that it was a real letter of Mgr. Le Courtier, Bishop of Montpellier, one of the most extreme of the opposition. It and a similar letter, attributed to Mgr. Place of Marseilles, were printed in the *Journal des Debats* and are reproduced in the English 'Quirinus', also in *Lac* 1407.[4]

These letters are loud over the obstacles to real freedom of the bishops, so great and so evident as to destroy the liberty of the Council. And the same charges are the burden of the two pamphlets publicly censured at the last Congregation (p. 405f.). Of these, the first, published at Paris in May, *Ce qui se passe au Concile*, is a tract of 200 pages, strongly adverse to the Council, but written with restraint of language. Very likely it would have passed without special notice, were it not for the appearance after July 13 of *La dernière heure du Concile*, a pamphlet of 16 pp. printed at Naples, a diatribe of extreme and unrestrained violence, attacking the Pope in insulting terms. The authorship of both pamphlets has remained a secret: there is no reason for supposing they were by the same author or that a bishop was author of either. *Ce qui se passe* is fully documented; but the documents were public and involved no inner knowledge of the Council. It was probably by a layman of the extreme wing of the French

[4] The reasons for attributing the letter beginning: 'Je n'ai point parlé une seule fois' to Le Courtier are as follows:

1. It is true of him that he made no speech;

2. Ullathorne's letter of June 14, referred to in text, says that the bishop who wrote the letter left Rome precipitately on the thing becoming public, about mid May: Le Courtier signed all the protests of the Minority up to that of May 8, after which he appears no more in the transactions of the Council;

3. The similarity of this letter to two documents of Le Courtier's in Mansi, III (51), 15, is so great as to suggest identity of authorship.

Le Courtier disavowed the other letter, also attributed to him, but not this one. That other may have been by Place of Marseilles, another uncompromising opponent of the definition.

liberal Catholic party.[5] Being free from the bitter and extravagant partisanship of Quirinus, it is probably the most serious indictment of the Council. Ollivier gives an analysis of its contents,[6] and passes on it this verdict:

> This clear, impassioned, often eloquent writing has few material errors; nearly all its facts are official, or taken from the infallibilist journals: but for all that, it is a libel rather than a history, a travesty not a story. This results from the exaggeration of its comments, the injustice of its criticisms, its forced combinations, its partisan appreciations distorting the simplest acts, and the crying disproportion between the recital of facts and the exaggerated conclusions drawn from them.

Most of the points urged in these writings have presented themselves and have been dealt with in the course of the foregoing narration. Instead therefore of restating them and discussing them afresh, it will probably be more convincing to listen again to Ollivier's independent judgement. He gives short shrift to the whole contention:[7]

> The same charges were made against Trent and against most of the Councils. Provided that in an assembly no physical obstacle impedes the expression of opinion and the giving of a vote according to one's judgement, no matter what procedure or restrictions may be imposed, or pressure exerted from above or below, liberty exists. Even were the grievances well-founded, how would they destroy the liberty of the Council? What does it matter whether the regulations were made by the Pope or the Council? that Italians or French were a majority? that the *Univers* and the *Civiltà* were bitter? that the Pope made allocutions? Did all that prevent a single bishop from going into the ambo and saying what he thought? It did not. And

[5] Quirinus (p. 806) gives as author Guillard, a name unknown to me.
[6] Op. cit., II, 269.
[7] Op. cit., II, 67-74.

seven hundred bishops assembled in St. Peter's, and able to express their views unto satiety, were not free, forsooth, because the Pope had framed the regulations, because there were very many Italians, because the *Univers* was extravagant, because the Pope defended himself when attacked !

Through half a dozen pages of indignant irony Ollivier shatters the case of want of liberty. He concludes :

Examined according to human standards the arguments for want of liberty do not bear discussion ; and what if they are examined from the Catholic standpoint, that the Pope is Vicar of Christ and Supreme Pastor ? [And elsewhere :] For all spirits whom partisanship does not blind, it is certain that the discussion was as free as ever it was in any human assembly.[8]

Cardinal Gibbons' witness is worth reciting :[9]

The Infallibility was debated with great heat. Never have I heard such plain speaking in my life ; never have I seen men more violently attached to their own opinion, or less ready to give way to their opponents. There were times when the excitement rose to fever heat, and when one was reminded of some of the earlier Councils, as, for instance, the Council of Chalcedon.

The deliberate judgement of an experienced parliamentarian and statesman, like Ollivier, who knew well the facts, should dissipate once for all the notion of want of due liberty at the Council. Indeed, if the Vatican Council was not free, it would have to be said that the House of Commons is not free : because freedom of speech is at least as much interfered with by Speaker and members in the latter, as it was by Presidents and Majority bishops in the former.

[8] Op. cit., II, 43.
[9] *Retrospect of Fifty Years*, I, 32.

A letter from Dr. Moriarty to Newman of October 25, 1870, will be read with interest :

> I had promised myself much happiness in spending a few days with you on my way home, but I had to make all haste in consequence of my brother's illness. Perhaps it was all the better. I might have scandalized you, as I was not then quite over the vexation and anxiety of the previous months.
>
> I hear some are yet complaining of want of liberty. This is not fair. The whole conduct of the business was not what some of us had wished ; but it was what the immense majority of the Council wished, and the Council cannot complain of its own acts. If there was any restraint, it was self-imposed. Even our absence on the last day—to which I was vehemently opposed—was the free act of the Minority, and was advised and effected by the persuasion of Mgr. Dupanloup.
>
> I have been planning a letter with a view to make the great Constitution more acceptable to some dear friends.

Thus the charge of want of substantive liberty falls to the ground, in any such sense as could give colour or justification to the Old Catholic schismatical movement. But certain criticisms might fairly be made.

It might be said that the Constitution *Pastor aeternus* on the Papacy was in its final stages rushed through in a hurry. No such complaint could be made of the Constitution *Dei Filius* on Catholic Faith : the discussion and the consideration of difficulties and amendments was most thorough, and the final decree was in a very real sense the work of the Council as a whole, just as really as an Act of Parliament can be the work of the whole Parliament. It might fairly be urged that the like cannot be said in the same fullness of the Constitution on the Papacy. There was the sense of working against time, of the need of getting the thing through before the intolerable heats of the Roman summer should compel the prorogation

of the Council ; and at the end, before the war imminent between France and Prussia should break out. The closuring of the general discussion need not be spoken of again (see p. 315); it was justifiable in the circumstances, and was the only occasion on which the closure was applied.

But at the last stage an important section introduced into the text by the deputation *de Fide*, and the altered form of the definition itself, though put to the vote of the General Congregation, never was subjected to public discussion, so that no opportunity was given for any public expression of opinion on these important alterations in the text that had been debated. Only the sixty-two who voted ' placet iuxta modum ' on July 13 had the chance of proposing any emendations ; they put in nearly two hundred amendments : these were considered and disposed of by the deputation in a single day, and were all rejected except two. At the Congregation of July 16 the Presidents declared that only these two amendments should be put to the vote, all the rest being simply ruled out. It might be urged that this was irregular, for according to the Regulations all amendments were to be put to the vote : but the Council acquiesced, and no protest was made. Indeed it probably was felt that it did not matter, for the experience was that the judgements of the deputation invariably were endorsed by large majorities. I think it is true to say that Ullathorne's amendment on the Constitution on Catholic Faith was the single case in which a judgement of the deputation *de Fide* was reversed. So much so, that one of the complaints was that the influence of the deputation was excessive. But in fact, the legislation of a large assembly is always virtually the handiwork of a small committee, as cabinet or council. And if there be the appearance of undue haste in pressing the Constitution through its last stages, this is a familiar occurrence in legislative assemblies ; as when a Government finds it necessary to force an important measure through Parliament at the end of a session : then recourse is had to ruthless use of closure and ' guillotine ', whereby amendments are rejected *en bloc* undiscussed. In such cases the Minority always cries out that freedom of debate

was stifled by force of numbers; and the Majority that there was wilful obstruction. And so it was at the Vatican Council.

There is another thing that cannot be passed over, the part played by Pio Nono himself in forwarding the definition—did it amount to undue influence? That at the final stages he exerted his personal influence to the utmost cannot be questioned, for it was quite open. Even though the charges of direct intimidation and bribery—not of course by money, but by prospect of ecclesiastical promotion, red hats—be set aside, it might with show of reason be held that many of the bishops were swayed by what is known as reverential fear towards a beloved Superior, an old man, the object in a very unusual measure of the devotion and affection of all. At first Pius took up a neutral attitude, saying that he left the matter to the Council; but on April 1 Ullathorne wrote: 'The Pope takes every opportunity of impressing his views on the infallibility, both in audiences and in letters that at once get into the papers. He has quite changed his old policy on our arrival, when he professed neutrality before the Council.' Indeed from the beginning of January Pius threw himself with all his great influence, both official and personal, into the struggle. Of his influence as Pope there is no need to speak: Catholic bishops of all types, including the olden time Gallicans, recognized his dominant authority as Vicar of Christ and Head of the Church on earth. But Pio Nono's personal influence was quite extraordinary. The author of *Ce qui se passe*, even when protesting against his intervention, will not hear of its being attributed to ambition or pride, for his was 'a personality of incomparable power and majesty, enhanced by virtues and by misfortunes truly exceptional' (p. 130). Many passages in the *Life of Ullathorne* (see II, 298) illustrate the personal magnetism that by its charm and by its sorrows drew to Pius in an unprecedented degree the respect, affection, veneration of all Catholics. Ollivier's eloquent tribute to Pio Nono, whom he knew personally, and respected, and loved greatly, should be read.[10] And so the

[10] Op. cit., I, pp. 307-11.

bishops found it a real trial to do anything that could sadden or wound the old man, now an octogenarian. Le Courtier bemoans it in his letter: 'See what more than aught else destroys our liberty: it is crushed under the respect we have for our Head.' What it must have cost men like Rauscher, Haynald, Dupanloup, Melchers, who had enjoyed his affectionate personal friendship, to make their stand against his known wishes, cannot easily be estimated. On arriving they all were received kindly, Dupanloup and Darboy with special marks of favour.

At first the Pope announced to all his intention of leaving the matter of the infallibility to the Council, to be brought on or not according as the bishops might desire. Early in January he began moving in the matter. Letters had been coming in from many quarters, from clergy and laity, especially from France, and especially from the dioceses of bishops known to be opposed to the definition, expressing belief in the doctrine and hope that it would be defined at the Council. A great number of apostolic letters were despatched in reply, thanking the senders and praising them for their desires that the infallibility should be defined. Such letters may be found in *Lac* 1444-69, and the answers 1525-35. As an example, the Avignon Chapter sent such a letter and had the following reply, March 7:

> Your letter has given us clear proof of your veneration and love of this Holy See. For from it we know how desirous you are that the irreformable judgement of the Roman Pontiff in exercising the supreme magisterium may be decreed at the Council. Your excellent dispositions of mind are most pleasing to us.

In June the Secretary of briefs wrote to the Nuncio at Paris:

> His Holiness is receiving very many letters affirming belief in the pontifical infallibility defining *ex cathedra*, and begging that it be erected into a dogma of faith. He

cannot but rejoice at seeing this pious doctrine, which f
many centuries no one put in doubt, so openly affirmed a
spread to-day among the clergy and the faithful. T
number of these letters has become so great that he cann
answer them all ; and so he charges your Lordship to ma
it known how great has been his pleasure in receivi
them.

More outspoken still were the letters of thanks to vario
writers who combated the works published against t
definition. Thus, in January, to one who had produced
pamphlet, *Les Contradictions de Mgr. Maret :*

We thank you for the refutation of a widely circulat
book, whereby you have sagaciously made the author su
vert his own structure.

And in February, to one who had written ' Réflexions '
Dupanloup's *Observations :*

Your work has received the full approval of the Ho
Father. He sees therein a striking proof of your faith a
your devotion to the Apostolic See. He has much enjoy
the manner, at once elegant and vigorous, in which, wh
defending the common and constant faith of Catholics, y
at the same time refute the vain hostile sophisms, whi
are the one and only cause of the trouble that has arisen
consciences, which we deplore.

Gravest of all was the letter to Abbot Guéranger, thanki
him for the tract, *La Monarchie pontificale*, a substantial b
respectfully worded refutation of Maret and Dupanlou
The first half is a vehement denunciation of the liberal Cath
lics, written under the emotions called forth by Montale
bert's letter shortly before his death ;[11] but at the end
comes to the refutation of Maret and Dupanloup :

[11] Ollivier, op. cit., II, 170.

> You have done a great service to the Church in undertaking the refutation of the chief works against the definition, and showing up their hatred, violence, and artifices—simultatem, violentiam, et artes—with such solidity, clearness and abundance of sacred antiquity and science, that in a word you have taken all prestige of wisdom from those who have wrapped up their opinions in words of ignorance. And so we are most pleased with your book and prophesy for it a great success.[12]

In July were issued letters to W. G. Ward and Herbert Vaughan highly commending their defence of the prerogatives and rights of the Pope in *Dublin Review* and *Tablet*, and encouraging them to go on ' fighting the battles of the Lord '. W. Ward prints that to his father.[13] It is to be remembered that Pius did not know English, and so had not read Ward's articles : likely enough he merely knew of Ward and Vaughan through Manning as staunch upholders of Ultramontane views, and so deserving of commendation. He cannot thereby be said to have endorsed Ward's peculiar views on infallibility. But he did know French, and read the *Univers ;* and he did give similar letters of approval to Louis Veuillot, as also to the *Civiltà*. There can be no doubt that, ' as private theologian ', Pius was a pronounced neo-Ultramontane.

The like pressure was exercised in private. Mozley is without doubt correct in saying that bishops who were disposed to adopt a neutral or moderate line

> find themselves sorely tried in a personal interview. They find it vain to declare their devotion or their sincerity. His Holiness tells them plainly they are not on his side ; they are among his enemies ; they are damaging the good cause ; their loyalty is not sound. It is enough that they

[12] Full original text in *Lac* 1537. The second half of *Ce qui passe au Concile* is taken up with ' Intervention de Pie IX ', a number of the documents being cited. A whole section in *Lac* is devoted to these letters and addresses of the Pope during the Council, (1525-45).

[13] *W. G. Ward and the Catholic Revival*, p. 265.

have signed what they should not, or not signed what they ought.[14]

The pressure of the Pope's personal influence can be seen in the solicitude manifested by Ullathorne, a man of independent character, who had nothing to fear and nothing to hope for in the way of ecclesiastical favour, that his attitude should not be misunderstood by the Pope: we have seen that he obtained a special private audience in order to explain that he was an infallibilist and in favour of the definition, and that the amendment he had desired to move aimed only at making it clearer.

As a set-off, and in order to maintain a right perspective in this matter of pressure exercised by the Pope, the experience of Archbishop de Merode should be cited. He was brother-in-law of Montalembert, and had been one of the Pope's Ministers in the government of his States, and was one of his intimates, and his almoner. On July 13 he had voted 'placet iuxta modum', his desire being the controversial clause 'innixus testimonio Ecclesiae'. This being ruled out, he felt unable to vote for the definition, and absented himself from the Public Session. An officious person told him the Pope was greatly displeased. He says:[15]

> Towards the 'Ave Maria' (6 p.m.) on the day of the definition I went as usual to the Pope for my customary duties. I remarked that he followed me now and then with his eyes, as if his mind were preoccupied; and when the hour came for me to retire, and as I knelt as usual to take leave, Pius said to me:
>
> 'Monsignor has nothing particular to say?'
>
> I answered: 'Most holy Father, if I have been wanting in my duty in anything, I beg Your Holiness to tell it me and I will hasten to do whatever I may have omitted.'
>
> 'But no, no!' replied the Pope, smiling; 'I only asked you if you had anything you wanted to say to me. You may retire.'

[14] *Letters from Rome*, II, 282.
[15] *Life*, translated by Lady Herbert, p. 342.

I went away full of admiration for the Holy Father. I saw that he wished from a motive of natural and human curiosity, to know what I thought, and the motives of my attitude; but he would not go beyond that first feeling. He respected my inner faith, my honest convictions, my position as a bishop; he understood that I had acted simply according to my conscience. In consequence, not a word of blame or displeasure fell from his lips.

He formally accepted the decree on the following day.

Of course the case that caused the most painful impression was the reprimand administered to Cardinal Guidi (p. 355), surely a very regrettable incident.

Indeed it seems all very regrettable that the Pope should have thrown the weight of his influence in this personal way on the side of the definition, and should have taken such a part in the conflict. The pity of it was that it was quite unnecessary. Had he maintained the aloof attitude that he took up at the outset, and only secured that the question be brought on, he might have left it to the bishops, who would have got him the definition just the same. There is no doubt of this; the Minority knew from the beginning that they were a numerically hopeless minority. The first letters of Quirinus' lament that something like six hundred of the bishops would be in favour of the infallibility, barely two two hundred against; and Acton's letters to Gladstone regard the definition as a foregone conclusion, if things should run their natural course.[16]

As in this chapter have been examined criticisms passed on the proceedings of the Majority and of the Holy Father himself, it will be right to examine also criticisms passed on the Minority.

The entire good faith with which the leading Minority bishops were persuaded, even with passionate conviction, that the definition of the Pope's infallibility would be nothing short of a dire calamity to religion and to the cause of the

[16] *Lord Acton's Correspondence, Selections*: section, 'Vatican Council and Decrees'.

Catholic Church, cannot be called in question; it stands out in their speeches and public utterances, and in private letters, as those of Dr. Moriarty cited in these pages (288-90). Nor can the propriety be questioned of their efforts to persuade the Council of the justice of their fears by public speech at the Council or by writings circulated among the bishops. Nor can their efforts be condemned to stave off the evil hour by protests against the changes in the order of business, in which be it noted they had the Cardinal Presidents with them; in the hope that, could the question be put off for that year, something might befall to put it off indefinitely—as, perhaps, the war brewing between France and Prussia.

In all this was nothing in any way illegitimate. But certain of the proceedings, at any rate of some of them, have been greatly criticized, and the matter had better be gone into here.

Manning's adverse comments in the Reminiscences of 1887[17] have been so often reproduced that it is impossible to pass them by:

> Until I had attended one myself, I had never understood aright the history of the Councils. I now understand how Councils were delayed or broken up or intimidated. I can put my finger by the light of the Present on the culprits of the Past. I can understand their motives, and the means they made use of to attain their ends. Nothing is too base for the partisan spirit. I understand now the confusion which prevailed and the misunderstandings that darkened the minds of men in too many a Council. The calumnies of yesterday were not one whit worse than those of to-day. Cowardice in weak and well-meaning men is but too common in every age, and so are bribery and corruption, fraud and falsehood. But in every age Truth prevails in the end, for God knows how to defeat the designs of His enemies.
>
> Again: The Opposition bishops were damaged by the support of Döllinger and Friedrich; and in some of them the same spirit of supercilious science, with contempt for others, showed itself. Their parliamentary whipping, and

[17] Purcell, *Life of Manning*, II, 452, 455.

canvassing, and boasting, and defiance, and I must add intrigue, to sway Pius IX, and to bring the pressure of the Civil Powers upon the Pope and the Council, were well known to me.

Manning's friends must regret that in extreme old age he took to writing ill-natured reminiscences. As for the 'parliamentary whipping and canvassing and intrigue', these are the very charges to which he laid himself open. It is a pity he did not leave the *True Story* as his last word on the Council, for there he gives a fair objective statement of the position of the Minority.

Two particular charges made against the Minority have to be considered.

First, it was said that they were having recourse to the expedient, not unknown in parliamentary minorities, of trying to talk the definition out, of deliberately prolonging the debates so that the question should not be brought to an issue that summer, in the hope of its being indefinitely postponed.

It is likely enough, in fact there is evidence, that talk of this kind did go on in Minority circles. But the Acts of the Council do not afford any ground for supposing any concerted attempt to give effect to such a policy of obstruction. Certainly the early debates do not, those namely on the Constitution on Catholic Faith and on points of discipline, that occupied the Council up to Easter. And the debates during June, when any such obstructive tactics would have shown themselves, give no sign of anything of the kind. It is not the case that the Majority sat in impatient silence while the Minority were trying to speak against time. Quite the contrary: it is the fact that more speeches, and longer ones, and speeches wandering farther from the point immediately before the house, and provoking many more calls to order from the Presidents, were made by the advocates of the definition than by its opponents. This appears in the record of the June debates, in Chapter XXI.

Another more serious, and it is to be feared better founded charge, preferred against the Minority, is that some of the

leaders tried to bring about the intervention of the Governments to interfere with the course of the Council in regard to the questions of Church and State, and indirectly the infallibility as trenching on that domain. Manning says this quite definitely in the note just cited.

Clearly any Catholic bishop who tried to bring about such external interference with the liberty of the Council, can hardly be acquitted of an act of disloyalty. It is the French Government and the French bishops, chiefly Darboy and Dupanloup, who are principally in question. Abbé Mourret thinks a verdict of 'not proven' may be brought in.[18] But I have to say, regretfully, that the letters and authentic documents printed by Ollivier, and his own clear impressions, make it very hard to doubt that some of the French bishops did try to induce the Government to take action in support of the Minority.[19] In particular they tried to influence Daru at the time of his Memorandum; at the end of the English 'Quirinus' is printed such a letter to Daru from 'a French bishop', the genuineness of which there is no reason for doubting. Moreover, Acton's letters to Gladstone indicate that other bishops than the French were encouraging him to induce the British Government to move.[20] See also Odo Russell's letters to Manning.[21]

To sum up the general question: When all has been weighed up, the fact stands out there there was no real interference with freedom of speech, or thoroughness of discussion, or independence of voting; and so the œcumenicity of the Vatican Council cannot properly be called in question on the score of defect of liberty.

[18] *Concile du Vatican*, p. 255.

[19] Ollivier, op. cit., II, c. vii, especially 131, 202, 217, 237-40; in his other work, *L'Empire Libéral*, XIII, he declares: Presque chaque jour la Minorité nous envoyait lettre sur lettre, messager sur messager (p. 149).

[20] Correspondence, as above.

[21] Purcell, *Life of Manning*, II, 438.

CHAPTER XXVII

# THE INTERPRETATION OF THE DECREES

In view of the practical religious importance of the Vatican Decrees on the Papacy, and the controversy to which they have given rise, it is but proper that some remarks be offered here on the interpretation, import, and force of the definitions. As I have already said, it always seems to me that the third chapter, on the Primacy, in reality, for those not in communion with the Holy See, presents greater difficulties, and is of more fundamental importance, than the chapter on the Infallibility. But it is the fact that, alike at the time and ever since, the Infallibility has raised the greatest opposition and occasioned the deepest searchings of heart. Accordingly it will be given chief place here.

Most of the bishops on return to their dioceses issued pastoral letters, or made pronouncements on the meaning of the definition. And so in his pastoral on the Council, issued in October 1870, Dr. Ullathorne gave a plain statement of the doctrine defined. After reciting in full the decree on Infallibility, he goes on :

> You have heard the decree, and now let me assist you to understand it. Like most decrees of faith it consists of two parts, the exposition and the definition ; but the definition alone is of faith, although the exposition is of great authority, as explaining the sense of the definition. The definition is contained in these words :
>
> 'We teach and define that it is a dogma divinely revealed : that the Roman Pontiff, when he speaks *ex cathedra*, that is, when in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme apostolic authority he defines a doctrine regarding faith or morals to be held by the Universal Church, by the divine assistance promised to him in blessed Peter, is possessed of that infallibility

with which the divine Redeemer willed His Church should be endowed for defining doctrine regarding faith or morals ; and that therefore such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church. But if anyone—which may God avert—presume to contradict this our definition, let him be anathema.'

This, then, is the Catholic doctrine, which to deny is heresy and involves separation from the Church of God. It is proclaimed in the name of the Pope, the Council consenting, the Fathers within it, as is said elsewhere, sitting and judging with him. This is the usual form when the Pope presides over a Council in person.

It has been widely, but most erroneously, asserted by the adversaries of our faith, and possibly even some Catholics may have imbibed the notion, that this definition makes the Pope infallible in all his words and actions, and even to the extent of whatsoever he thinks. Nay, some have been so absurd as to say that it makes him sinless. But this is not the doctrine of the definition, nor is it the teaching of the Church. The definition does not extend infallibility to the private teaching of the Pope, still less to his conversation, or to his ordinary actions, or to his political functions, or to his judgement of causes as between man and man. To nothing of this kind does it reach ; they are excluded by the very terms. It is only when he exercises a certain office in a certain way that he is declared to speak without error. Mark the words of the definition ; they say, '*when* he speaks *ex cathedra* ; that is to say ', continues the text, '*when* in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme apostolic authority he defines '. And again, it is only when he *defines* ' a doctrine regarding faith or morals '. We might as well say that a judge is always delivering sentence, or that the Sovereign is always giving the force of law to acts of Parliament, as say that the Pope is always exercising his infallibility. The occasions for such an exercise of authority are comparatively few, and occur but now and then. As the judge only

from the bench, and after the cause has been heard, pronounces that sentence which must be obeyed; as the Sovereign only from the throne of authority gives those acts, after their discussion in Parliament, the confirming sanction that makes them law; so the Pope, only after due investigation made as to what is or what is not contained in the deposit of Catholic teaching, pronounces *ex cathedra* from his apostolic chair or throne what is to be believed, because it always has been received, as an article of Catholic tradition. The means which he employs for investigating what is the Catholic truth are enumerated in the decree itself. The Council says: 'According to the exigencies of times and circumstances, the Roman Pontiffs sometimes assembling œcumenical Councils, or asking the mind of the Church scattered throughout the world, sometimes by particular Synods, sometimes using other helps which divine Providence supplied, defined those things as to be held which with the help of God they had recognized as conformable with the Sacred Scriptures and Apostolic Traditions.' The past is guarantee for the future, and prescribes the general principles and rules by which the Popes are guided. Scripture and Tradition are the fountains of their judgements. Into these they inquire, consulting according to the gravity of the case. In some cases the Catholic Tradition is so obvious that they require but little if any consultations; others are of greater gravity, and involve a certain obscurity. Such was that of the Immaculate Conception before its definition, which led the Pope to consult the whole episcopate before taking the final step. Again, in this case of defining his infallibility, the Pope has the sense of a General Council. But in every case of an infallible definition, it is always the Vicar of Christ who unites his apostolic authority to the Catholic Tradition.

Hence it is also stated in the decree, that it is not 'new doctrine' or any new revelation, but 'the deposit of faith delivered to the Apostles', which, not by inspiration, but by the guiding assistance of the Holy Ghost, they are able to keep inviolable, and to expound without error.

On the other hand, it is part and parcel of the definition of Papal infallibility, that 'the definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church'.

A little reflection will make this evident. The authority of the Roman Pontiff is not derived from the Church, but from Christ. It comes from above, not from below, and is the supreme authority over the Church. The less cannot overrule the greater authority; and those who are subject to the supreme authority cannot reform its decisions. We must not be here misled by the example of temporal authority constituted by men: this power is constituted by God; and He can as easily make His Vicar infallible as His Church. Nay, for that matter, humanly speaking, it is easier to make one man infallible than a multitude. Christ constituted His Vicar as the representative of His authority; to Peter, thus constituted, He promised by His prayer an unfailing faith; and with that unfailing faith He enjoined him to confirm his brethren. But if the consent of the Church were needed for the validity of his definitions, it would not be the Vicar of Christ who confirmed his brethren, but his brethren who confirmed him. The very idea is destructive of the Papal infallibility.

This, it will be seen, is a studiously 'moderate' interpretation of the decree, such as might be looked for from one who all along had stood for a carefully safeguarded definition on the traditional lines of the theological schools. But other interpretations were put forward by bishops of other tendencies, as by Manning, as we shall see just now. And so it becomes of importance to ascertain what is the real meaning and force of the decree, and on what principles it is to be interpreted. Had the Council been able to meet again in the winter of 1870, no doubt all uncertainties would have been cleared up authoritatively. As it is, I think there is good evidence that Ullathorne's interpretation is substantially correct, and the one accepted at Rome.

He heard at the time that his pastoral had been well

received at Rome.[1] And a few months later his pronouncement had a striking confirmation. Bishop Fessler of St. Polten had been the General Secretary of the Council and was the most learned church historian among the Austrian bishops, second only to Hefele among the Germans. He threw himself into the conflict that arose in the German lands after the Council and crossed swords with Dr. Schulte, the most active and combative spirit in the Old Catholic movement. Schulte produced a series of tracts against the Council, among them, in 1871, one entitled: *The Power of the Roman Pontiffs over Sovereigns, Countries, Peoples, and Individuals, according to the Vatican decrees.* The thesis was to extend the Infallibility so as to include all public official acts of Popes, so that the bulls of deposition of monarchs, of assigning sovereignty over territories, acts of legislation, impositions of penalties, and much else, were all declared to be infallible *ex cathedra* acts, according to the Vatican decrees. The purpose was to make the decrees preposterous by a process of *reductio ad absurdum*. Schulte's reputation as a great canon lawyer made it imperative that he should be answered, and Fessler stepped into the breach with a tract: *The True and the False Infallibility of the Popes*. It ran to three editions, and was translated into French, and into English, 1875, by Fr. St. John of the Oratory, Newman's close friend. As Secretary of the Council Fessler was behind the scenes as no one else, in closest touch with all that went on, so that of all the bishops he was by his position the best accredited interpreter of the acts of the Council. Moreover, he submitted a copy of his pamphlet to Pius IX, who had it examined by a board of theologians, and caused it to be translated into Italian, that he might read it himself. As the result the Pope sent to Fessler a warm letter of thanks and approval, signed by his own hand, for 'having brought out the true meaning of the dogma of papal infallibility'.[2] Thus it is not too much to say, that Fessler's tract, though of course not official, is in all its circumstances the most authoritative interpretation hitherto

[1] *Letters*, p. 253.
[2] Prefixed to English translation.

given of the infallibility decree. In the *Life of Bishop Ullathorne* I gave a schedule of Fessler's corroborations of Ullathorne's exposition; it is reproduced here:[3]

Ullathorne: The decree consists of two parts: the exposition and the definition. The definition alone is of faith, although the exposition is of great authority as explaining the sense of the definition.

Fessler: The dogmatic definition *de Fide* commences after the solemn formula *definimus*:—the introduction is very important, but it is not to be looked on as the definition itself (p. 7).

Ullathorne: It is only when the Pope exercises a certain office in a certain way that he is declared to speak without error.

Fessler: The utterances of the Pope are to be received as infallible definitions only under certain conditions, and these conditions have been exactly specified in the Vatican Council itself (p. 112).

Ullathorne: The Pope speaks *ex cathedra* 'only when he *defines* a doctrine regarding faith and morals'.

Fessler: What Popes have taught as doctrine on faith and morals, and defined (*definit* is the well-considered word of the Vatican Council), by virtue of their highest apostolical power, as true and to be held by the Universal Church, *that* alone is an infallible utterance *ex cathedra* (p. 57).

Ullathorne: The occasions for such an exercise of authority are comparatively few, and occur but now and then.

Fessler: Dr. Schulte finds a great number of papal *ex cathedra* utterances; I, in accordance with the theological faculty, find only a few (p. 52).

Ullathorne: Only after due investigation made as to what is or what is not contained in the deposit of Catholic teaching, does the Pope pronounce *ex cathedra* from his apostolic chair or throne what is to be believed, because it has always been received, as an article of Catholic tradition.

[3] Op. cit., II, 84.

Fessler: The Pope in his doctrinal utterances only speaks what he finds, under the special divine assistance, to be already part of the truth, revealed by God, necessary for salvation, which He has given in trust to the Catholic Church (i.e. the divine *depositum fidei*) (p. 53).

Ullathorne: It is not 'new doctrine', or any new revelation, but the 'deposit of faith delivered to the Apostles', which, not by inspiration, but by the guiding assistance of the Holy Ghost, the Popes are able to keep inviolable, and to expound without error.

Fessler: The Pope cannot according to his own will and fancy extend his infallible definition [as Schulte pretended] to matters relating to the *jus publicum*, to which the divine revelation does not extend (p. 53).

Fessler thus in striking way confirms point by point Ullathorne's interpretation. With Fessler the central position is that the definition must be interpreted and applied on strict theological and legal principles. This is the keynote of his tractate. But it was mere human nature that every bishop should have been inclined to see the definition through the colour of his own ideas; and so some of the strong infallibilists were putting forward wider and looser interpretations than those of Ullathorne. Such a one, naturally, was Manning. In October 1870, he too issued a pastoral letter, indeed a tractate of 200 pages, *The Vatican Council and its Definitions*.[4] In the elaborate explanation of the force of the infallibility decree he extends its scope so as to include dogmatic facts, censures less than heresy, canonizations of saints, approbations of religious orders: all this is roundly asserted; even though Bishop Gasser, as official spokesman of the deputation *de Fide*, had laid down positively that the theological questions at issue over these matters were not touched by the definition, but were left in the state of theological opinion in which they were before the Council[5]—and still are. In particular, the word 'define' Manning said was to be taken not in a legal but in a large sense, as signifying

[4] Included in the vol. *Petri Privilegium*.

[5] See p. 395.

the final decision by which any matter of faith and morals is put into a doctrinal form: all dogmatic judgements are included, all judgements in matters of dogma, as the orthodoxy or heterodoxy of uninspired books; legislative or judicial acts, judgements, sentences, or decisions, which contain the motives of such acts as derived from faith and morals.[6]

Fessler's authority is counter to all this; the burden of his tract is the necessity of *definition*. He paraphrases the words of the decree, 'doctrinam de fide vel moribus definit' thus:

> issues his final decision that a certain doctrine is to be regarded as an essential part of the Catholic faith or of Catholic morality, and to be maintained as such by the universal Church (p. 42, note).

It is worth while bringing out Fessler's teaching by citing certain passages; because, if, on the one hand, he seems to restrict the infallibility more than some other theologians are disposed to do, on the other hand, his interpretation has received at any rate the semi-official approbation of Pius IX himself.

> The Pope has the gift of infallibility, according to the manifest sense of the words of the definition, only as *supreme teacher of truths necessary for salvation revealed by God*; not as supreme legislator in matters of discipline, not as supreme judge in ecclesiastical questions, not in respect of any other questions over which his highest governing power in the Church may still in other respects extend (p. 43).
>
> Even if we have before us a real and true dogmatic definition of the Pope, only that portion of it is to be looked upon and accepted as an *ex cathedra* utterance which is expressly designated as 'the Definition'; and nothing whatever is to be so regarded which is only mentioned as accessory matter (p. 65).
>
> A mere intention (or mind) of a Pope in an *ex cathedra*

[6] Op. cit., pp. 88, 89.

utterance, even if it may be assumed from his actions to have existed, if it be not expressed, is not to be looked on as a dogmatic definition (p. 69). A dogmatic definition *ex cathedra* will not be made as accessory matter to the condemnation of a book (p. 58). That the Pope speaks of his apostolic office and the plenitude of his power, and orders publication—[tests proposed by Schulte, and also by Ward]—does not constitute a document an utterance *ex cathedra* (p. 59).

Dr. Schulte's starting-point is unsound and misleading. He assumes that each individual Catholic Christian must be able, without the intervention of bishop or priest [theologians]—i.e. without recourse to any teaching authority in the Church—to recognize at once what is an *ex cathedra* utterance of the Pope, and this because 'each one has to work out his own salvation'.

The bishops and the priests are quite aware that when there is no authentic explanation of a papal *ex cathedra* utterance, the theological faculty, which has been for centuries engaged upon this question, has to be heard upon the marks of a real *ex cathedra* utterance; and that in reality the short *de Fide* definition in the Vatican Council does but contain what the science of theology has been this long time investigating fully, and considering its application to the difficult questions arising out of the history of ancient times. But we shall look in vain, if we wish to find from history or theology that papal *ex cathedra* utterances are to be recognized, sometimes from the words used, sometimes from the circumstances, and sometimes from the definition itself, as though each one of these marks was of itself sufficient to establish the fact.

On our part, we find that it is the view of Catholic theologians that there are two marks of an *ex cathedra* utterance, and, moreover, that these two marks must both be found together: viz. that (1) the *objectum* or subject-matter of the definition must be doctrine of faith or morals; and (2) the Pope must express his intention, by virtue of his supreme teaching power, to declare this particular doctrine on faith

and morals to be an integral part of the truth necessary to salvation revealed by God, and as such to be held by the whole Catholic Church; he must publish it, and so give a formal definition in the matter (definire). Any mere circumstances do not suffice to enable a person to recognize that which a Pope says as an utterance *ex cathedra*, or, in other words, as a *de Fide* definition. It is only when the two other marks just mentioned are acknowledged to be present, that the circumstances of the case serve to support and strengthen the proof of the Pope's intention; and this proof will be drawn from his own words (pp. 50, 51).

The Swiss bishops in June 1871 issued a joint Pastoral Instruction on the decrees. Naturally it is popular in character and not technically theological, like Fessler's tract; but it also gives a similar strict interpretation, and it also called forth a warm approval from the Pope. The following declarations occur in it:[7]

The Pope is infallible solely and exclusively when, as supreme doctor of the Church, he pronounces in a matter of faith or morals a definition which has to be accepted and held as obligatory by all the faithful. Again: It is the revelation given by God, the deposit of faith, which is the domain perfectly traced out and exactly circumscribed, within which the infallible decisions of the Pope are able to extend themselves, and in regard to which the faith of Catholics can be bound to fresh obligations. . . . It in no way depends upon the caprice of the Pope or upon his good pleasure, to make such and such a doctrine the object of a dogmatic definition: he is tied up and limited to the divine revelation, and to the truths which that revelation contains; he is tied up and limited by the Creeds already in existence, and by the preceding definitions of the Church; he is tied up and limited by the divine law and by the constitution of the Church: lastly, he is tied up and limited by that doctrine, divinely revealed, which affirms that alongside

[7] Cited in English 'Fessler', pp. viii, 63.

religious society there is civil society; that alongside the Ecclesiastical Hierarchy there is the power of Temporal Magistrates, invested in their own domain with a full sovereignty, and to whom we owe in conscience obedience and respect in all things morally permitted, and which belong to the domain of civil society.

The Pope wrote to the Swiss bishops that nothing could be more opportune or more worthy of praise, or cause the truth to stand out more clearly, than their pastoral.

It thus appears that after the Council what may be called moderate, even strict, interpretations of the decree found favour at Rome. Fessler's interpretation has been found by some theologians unduly strict; yet the Pope's commendatory letter certainly implies that he had set forth 'the true meaning' of the definition. Had his interpretation been judged unsound in a matter of importance by the Roman theologians who examined his tract, he would hardly have got an unqualified approval from the Pope. If the wording of the definition be considered, in itself and apart from extraneous theological considerations, it seems to convey the precise meaning Fessler sees in it. It is often said loosely that the definition declares the Pope *ex cathedra* to possess the infallibility with which Christ endowed the Church. This is not strictly correct: what is declared is that the Pope *ex cathedra* defining a doctrine of faith or morals possesses that infallibility with which Christ endowed the Church in defining a doctrine of faith or morals. Thus the wording of the definition covers only the defining of a doctrine of faith or morals. And in the preamble of the decree the ground in which the Pope's infallibility operates is 'the deposit of faith' entrusted to the Apostles: that the Roman Pontiffs 'may inviolably preserve and faithfully expound the revelation delivered through the Apostles, that is, the deposit of faith'. The emphasis is all on the deposit of faith and its safeguarding.

Rome has given one official commentary on the decree. The Codex of Canon Law has a section, 'De Magisterio

Ecclesiastico' (Canons 1322-4). Being a code of laws, it is concerned only with law and fact, not with theological opinion. But many of the canons incidentally enunciate points of doctrine, as those containing definitions of the Sacraments. The following are the statements made in regard to the Magisterium:

> Christ the Lord committed to the Church the deposit of faith, that she, by the constant assistance of the Holy Ghost, might inviolably preserve and faithfully expound revealed doctrine.
>
> All those things are to be believed by divine and Catholic faith which are contained in the word of God, written or handed down by tradition, and are proposed by the Church, either by solemn judgement or by her ordinary and universal magisterium, to be believed as having been divinely revealed.[8] Such solemn judgement is pronounced either by an œcumenical Council or by the Roman Pontiff speaking *ex cathedra*.
>
> Nothing is taken as declared or defined dogmatically, unless this fact [that it has been so defined] is manifestly certain.[9]

It is evident that the foregoing statement has been kept studiously within the limit of what is certain in regard to the Magisterium of the Church, namely, that its infallibility comes into play in the domain of divine revelation: it refrains from going beyond this.

The last of the canons just quoted—that nothing be taken as dogmatically defined, unless it be manifestly certain that it has been so defined—raises an interesting question: Have there been any—and if so, how many and what—*ex cathedra* infallible definitions since the Vatican Council?

The chief work of vulgarization (in the good sense of the word) on this range of subjects, wherein are set forth and

[8] Cited from Vatican Council, Constitution on Catholic Faith, c. III.
[9] Declarata seu definita dogmatice res nulla intelligitur, nisi id manifeste constiterit.

discussed in popular yet scientific way, the ideas of theologians, is the study by the French Jesuit, Père Lucien Choupin: *Valeur des Décisions doctrinales et disciplinaires du Saint-Siège*, first published in 1907, then in 1912, and finally in 1928, revised and augmented.[10] Choupin is a recognized authority on the subject, and his first hundred pages are concerned with the questions that are interesting us. His position may be summed up under two heads: on the one hand, he stands for a strict legal interpretation of the Vatican definition itself; on the other, he presses strongly the obligation for Catholics of accepting, not merely with respectful silence, but with a real 'religious assent', the teachings of the supreme authority, even though not guaranteed by the infallibility belonging to *ex cathedra* definitions.

But perhaps, instead of analysing Choupin, it will be better to take what is probably the most recent treatment of the subject, the elaborate and careful article, 'Infaillibilité du Pape', by Père E. Dublanchy, *Dictionnaire de Théologie Catholique*: in effect a learned treatise, of date 1923, by a competent theologian resident in Rome, dealing very fully with every aspect of the subject—to which any one may be referred who desires to comprehend the import of the Catholic doctrine of papal infallibility. On the questions immediately before us Choupin is his chief authority.

The conditions that make manifest, as required by the canon, the fact that a doctrine is being dogmatically defined, are laid down in this article, according to the teaching of recent theologians:[11]

> An *ex cathedra* definition is *an explicit and final doctrinal judgement* given by the Pope, relating to faith or morals, in such sort that the faithful may be certain that the doctrine is judged by the Pope to belong to revelation, or to have with revelation a connexion that is certain; and expressed in such a way that the obligation is made clear to all of giving full interior assent to the doctrine defined, or to the

[10] Paris, Beauchesne, 630 pp.
[11] Op. cit., tome vii, col. 1699.

rejection of propositions condemned as directly or indirectly counter to Catholic Faith.

It is enough that the Pope formally manifests his judgement that the acceptance or the rejection of a doctrine is of strict obligation for all the faithful, by imposing an anathema, or by proposing a doctrine as a truth of faith, or as one that cannot be rejected without detriment to faith.

Moreover, as in the case of the decrees of Councils, only the actual definition, the thing intended to be defined, is infallible: arguments, reasons, things incidentally said or praised in the expository preamble to the definition, are not included; that only is the infallible definition which is explicitly imposed on the belief and assent of the faithful.

Such principles laid down, this theologian considers whether since the Vatican Council there have been any infallible *ex cathedra* definitions. Bearing in mind the canon, that nothing is to be taken as a dogmatic definition unless its character as such is unmistakable, he concludes that probably there have been none. He rules out, as does Choupin, the great encyclicals of Leo XIII:

None of the encyclicals of Leo XIII is spoken of as containing a definition *ex cathedra* in the sense just indicated, though there may be in them many infallible teachings concerning truths previously defined, or always taught by the ordinary magisterium, which are recalled by the Pope and proposed as certain truths.[12]

Others have seen dogmatic definitions in two of Leo's decrees: the declaration of the nullity of Anglican Orders, and the condemnation of 'Americanism'. The latter is a long hortatory admonition reprobating tendencies that had shown themselves in certain circles of the Church in the United States. The Pope's teaching will readily and without

[12] Reference may be made to another article by Dublanchy, 'Église' in vol. iv of the same *Dictionnaire*, the section on the infallible 'Magisterium, of the Church', cols. 2175-2200.

question be accepted as true by Catholics ; but the document seems to contain nothing of the nature of a formal doctrinal definition. The decree on Anglican Orders does conclude with a formal judgement :

> And so assenting to all the decrees of our Predecessors on this subject, and most fully confirming them, and as it were renewing them by our authority, ' Motu proprio, certa scientia ' [technical terms], we pronounce and declare that the ordinations carried out by the Anglican rite were wholly invalid and are altogether null [irritas prorsus fuisse et esse omninoque nullas].

Whether such a judgement complies with the requirements of the theologians for a dogmatic definition may be doubted. Moreover, it is in part based on dogmatic facts. Neither Dublanchy in the *Dictionnaire* nor Choupin makes any mention of it.[13]

The pronouncements of Pius x condemning Modernism have found upholders of their claim to be regarded as *ex cathedra* dogmatic definitions :

(1) The decree *Lamentabile* (July 1907) contains a series of sixty-five propositions condemned and reprobated in general, without specific censures being attached. It was issued by

[13] At the close of the long article ' Anglican Orders ' in the *Catholic Encyclopaedia* the late Fr. Sydney Smith, S.J., treats of the ' Authority ' of the decision. His position is that infallibility is not claimed for it ' on the ground of the terms of the Vatican definition ', but because it falls within the sphere of dogmatic facts, to which the infallibility of Church and Pope, according to practically certain theological opinion, extends—a matter that was to have come before the Council, and will if ever it be resumed. He puts it thus : ' To suppose that Church authority can define a doctrine to be true, but cannot decide whether it is contained in or denied by any particular writing—such as an ordination rite—is to suppose that the power of defining doctrine is largely nugatory.' The whole matter of condemning writings, as distinguished from propositions, as containing heresy is at stake. Even pending the final settlement of the extension of infallibility beyond articles of Faith strictly so called, to dogmatic facts and censures short of heresy, if so be, the writer of the article concludes, ' it may safely be assumed that the bull fixes the belief and practice of the Catholic Church irrevocably ' ; and this is what Leo XIII said in a subsequent letter to the Archbishop of Paris.

the Holy Office with the Pope's approval, and as such in itself could not claim to be a personal *ex cathedra* act of the Pope.[14] But in the following November Pius x issued a 'Motu proprio' decree, whereby he renewed and confirmed it, attaching an excommunication to the defence of any of the propositions therein condemned. Some theologians held that this confirmation raised the *Lamentabile* to the position of an *ex cathedra* condemnation. Other eminent theologians held it did not confer on the decree that which was wanting to it in order to be a strictly and formally papal decision (so Choupin).

(2) The Encyclical *Pascendi* (September 1907). It is a long document occupying twenty-eight columns of the *Tablet*. Three-quarters are taken up with an elaborate exposition of the Modernist system in all its aspects, a running commentary of condemnation being interjected; the final quarter contains practical measures for the suppression of Modernism —close supervision of studies in seminaries, censorship of publications, etc. That the *Pascendi* as a whole should be a dogmatic definition, as required by the theologians, could with difficulty be maintained: it would be different in character from all other such dogmatic definitions. But at the end of the exposition of the Modernist system lies embedded a sentence in which some see a dogmatic judgement that may be an *ex cathedra* definition: 'Looking at the entire system in a single view, no one will wonder if we define it thus, affirming it to be a collection of all the heresies.' But this sentence

[14] See Choupin, op. cit., pp. 71 ff. The *Tablet* leading article, July 27, 1907, is perfectly explicit on this. As the technical theological articles of the *Tablet* are written by highly qualified theologians, it will be to the purpose to cite some words from this article: 'It is not promulgated with all those solemn forms by which the Holy Father makes a pronouncement of this kind personally his own, and lifts it to the eminence of an infallible utterance. . . . Clearly this decree is in no sense an infallible declaration of the faith. But it is a genuine exercise of the teaching office of the Church. . . . The Congregation of the Inquisition is not infallible; the Pope in approving and confirming its decree does not speak *ex cathedra*. But he does here exercise his power of teaching the whole Church; the true Catholic has no other course to pursue than to accept, humbly, honestly, and fully, the ruling of the supreme teaching power. . . . It is not, however, the assent of faith that is required of them, such as is given to articles of divine revelation.'

lacks the precision found in dogmatic condemnations; nor does the word 'define' carry its theological sense, but seems to be equivalent to 'describe' or 'call'; nor are the formalities present which the theologians require for dogmatic definitions. And the writer in the *Dictionnaire* quotes with approval the opinion of Père Choupin that the *Pascendi* is only 'the highest act of the pontifical magisterium next to *ex cathedra* definition'. In his book Choupin ranges it without discussion along with the encyclicals of Leo XIII (p. 52).

Thus the writer concludes that it is doubtful whether since the Council there has been any infallible *ex cathedra* utterance of a Pope; and in absence of certain proof of such a definition strictly obligatory, the principle, he says, may prudently be followed: 'Non est imponenda obligatio de qua certo non constat.' [Since the first edition of this book, the doctrine of the Assumption of our Lady has been defined by Pope Pius XII (1950). This was undoubtably an '*ex cathedra*' infallible definition.]

It need not be said that such solemn utterances as the *Pascendi* and the great encyclicals of Leo XIII are received by Catholics as utterances of the ordinary magisterium of the Church, and as such are accepted as true expressions of the Catholic doctrine with sincere interior assent. But the writers we have been using, Choupin and Dublanchy, point out that such adhesion to teaching not infallible is not the firm assent of faith, but a prudent assent based on a moral conviction that such teaching will be right. Choupin (p. 85) lays down:

> Whereas an infallible *ex cathedra* definition is absolutely true, irreformable, unchangeable, and to be accepted with an absolute certitude and a full and entire submission; a doctrinal decision of the supreme teaching authority, not guaranteed by the charisma of infallibility, is to be accepted by a judgement that it is prudent and *sure* to regard this proposition as true,—and this with an interior intellectual adhesion, though such adhesion be not a definitive absolute judgement, irreformable of itself.

We are not so sensitive or so exacting in this matter of infallibility as our forefathers were. At the middle of the last century there was a school among Catholic thinkers who held that practically only those things actually defined by Councils or Popes as of Catholic Faith could claim the full submission of interior assent, all else being legitimate object of free investigation and independent judgement. And in reaction against this attitude, others began to indulge in a craving for infallible certitude, and to look for it in everything: one bishop at the Council complained against the definition, that it did not enable him to know with infallible certainty that the spoliation of the Papal States was a crime. Nowadays Catholics have, for the more part, settled down into a middle position, and are prepared to accept as right and true a great body of teachings and judgements of the Popes, without requiring to know that it is guaranteed infallible, trusting to the Providence of God over the teaching authority of the Church, and the promised guidance of the Holy Spirit, satisfied that such pronouncements will not be made rashly or without proper care and prayer. This is called 'religious assent', given to the teaching of encyclicals, allocutions, disciplinary sentences, not falling within the sphere of divine faith, or even of ecclesiastical faith.

Dublanchy in the *Dictionnaire* gives a list of papal, as distinguished from conciliar utterances, which by common consent are looked upon as certainly infallible *ex cathedra* definitions according to the Vatican decree. There are just twelve such in the whole range of Church history: six are positive statements of Catholic doctrine, beginning with the Tome of St. Leo, ending with the definition of the Immaculate Conception by Pius IX; six are condemnations of erroneous propositions of Luther, Jansenius, Molinos, Fénelon, Quesnel, Council of Pistoia.[15] The 'Quanta cura' of Pius IX, 1864, is left doubtful; the 'Mirari vos' of Gregory XVI, condemning Lammenais and the *Avenir*, is not in the list—its *ex cathedra* character was one of Ward's chief theses. As for

[15] I have not tried to go into the reason why the condemnation of Baius should not be included.

the Syllabus of 1864, very commonly defended as *ex cathedra* by the theologians of the sixties and seventies, though questioned by Fessler, its infallibility is dismissed as being now almost given up: 'à peu près abandonnée'.

It is at first sight surprising to see how completely have been falsified, on the one hand, the panic fears of Döllinger, Schulte, Acton, and the Statesmen; and on the other, the hopes and expectations of such intransigents as Ward and Veuillot, as to the likely result of the definition,—that it would issue in a constant flow of *ex cathedra* utterances settling infallibly for Catholics questions of every kind, of doctrine, philosophy, science, social ethics, relations of Church and State; reducing Catholic Governments to bondage, and setting up a veritable theocracy.[16] Rather does it seem to give point to Salmon's gibe—or was it Whateley's?—that the Pope is infallible so long as he defines nothing. But in truth, the legalizing the definition and restricting the exercise of the infallibility was an inevitable consequence of the defining the doctrine. When anything is defined and made law, the canonists and theologians seize hold of it, as the lawyers do of an Act of Parliament.

Other, more theoretical, aspects of the definition also are discussed: for instance, the relation between the infallibility of the Pope and the infallibility of the Church. The definition lays down that 'the Pope *ex cathedra* defining doctrine of faith or morals, is possessed of the infallibility which the Saviour wished His Church to be possessed of in defining doctrine of faith and morals'. Some bishops at the Council objected to this formula, in that it seemed to make infallibility habitual, endemic so to say, in the Church, but only transient and occasional in the Pope. This touches on the point the Minority

[16] Absolutely grotesque is the following idea of 'Janus': Every other authority in theological study will pale beside the living oracle on the Tiber, which speaks with plenary inspiration, and can always be appealed to. What use in tedious investigations of Scripture, what use in wasting time on the difficult study of tradition, when a single utterance of the infallible Pope may shatter at a breath the labours of half a lifetime, and a telegraphic message to Rome will get an answer in a few hours or a few days, which becomes an axiom and an article of faith? (p. 48, Eng. trans.).

bishops sought to get explicitly recognized in the definition,—that Pope or General Council only speaks the mind of the Church, declaring what the faith of the Church has been and is: such was Bellarmine's position (see p. 41f.). Some bishops had advocated the view that infallibility resides primarily in the Pope, and is communicated to the Church from him, so that infallibility resides fundamentally in the Pope. This was advocated in a document put in by Cardinal Corsi of Pisa and some bishops of Central Italy (Mansi, III (51), 1014), and in a speech of the Bishop of Urgell in Spain. We have heard Bishop Gasser, speaking in behalf of the deputation *de Fide*, say he had listened with sorrow to such a view proclaimed from the ambo.

A prominent Dominican theologian, Fr. Vincent McNabb, has recently published a tract, *Infallibility* (London 1927), in which he deals very clearly with the theological questions and problems arising out of the Vatican definition. He draws an important and true distinction between the 'consent of the Church' and the 'sense or mind of the Church'. He explains it by an analogy:

> Infallibility is a divine assistance enabling the teaching Church to declare or expound the deposit of faith possessed by her. A judge sitting in the judgement seat would not be speaking *ex cathedra* if he refused to listen to the evidence for the fact or for the law. His judgement to be binding must follow on the evidence, and this evidence is a *sensus testium* (the mind of the witnesses). Now although it would be true to say that the *ex cathedra* official judgement of the judge needs the evidence of the witnesses as a necessary preliminary, yet it would be false to say that the official *ex cathedra* judgement of the judge needs the consent of the witnesses to make it binding. The evidence of witnesses gives the necessary *material* for the official judgement, but does not give the necessary *sanction*.
>
> In the same way the *ex cathedra* judgement of the Pope (or Council) needs the *Mind* of the Church as its necessary preliminary material; but does not need the *Consent* of

the Church as its necessary subsequent sanction. It is now heresy to say that the infallible utterances of the Pope (and Council) are necessarily related to the subsequent Consent of the Church; yet it would be hazardous to say that these infallible utterances of the Pope (and Council) are not related to the pre-existing Mind of the Church (p. 92).

Commenting on the wording of the definition, 'the Sovereign Pontiff is possessed of that infallibility with which the divine Redeemer willed that His Church should be endowed', Fr. McNabb says:

Here is a clear recognition and statement of the distinction between the infallibility of the Pope and of the Church. That this distinction is valid may be judged from the fact that infallibility resides not merely with the Pope, but with General Councils, i.e. with assemblies of bishops convened and approved by the Holy See. The Church may be said to have two organs of infallibility, the Pope and General Councils. Whether these two may be considered organically or functionally distinct is a somewhat delicate point of theology. Leaving this merely speculative matter aside, it should be noted that infallibility is primarily given for the Church, and in some sense resides primarily in the Church. Neither the Pope nor General Councils are ends in themselves: they look towards the Church. . . . So may it be said in a very true sense that the gift of infallibility resides primarily in the Church rather than in the Popes or General Councils. . . . Though Popes and General Councils may be looked upon as the proximate principles or organs of the Church's infallibility, yet it is true to say that in a certain sense infallibility resides primarily not so much in Popes or General Councils as in the Church. When, then, it is recognized that Faith demands objective infallibility, and that Conciliar and Papal infallibility, though not subordinate to the infallibility of the Church, are yet referred on to it, matters are seen in their true light (op. cit., 52).

This seems to be sound interpretation. The infallibility of the Church is taken as the basic idea, the thing known and accepted by all Catholics as of Catholic Faith, a charisma or gift that Christ willed His Church to be possessed of and promised to her: 'Go teach all nations . . . and behold I am with you all days to the end of the world.' Then it is said that the Pope teaching *ex cathedra* is possessed of this same infallibility: as a General Council with Pope is a recognized organ whereby the infallible teaching of the Church is brought to authentic declaration, so the Pope alone *ex cathedra* is another organ whereby the infallible teaching of the Church is authoritatively declared. Fr. McNabb is surely right in saying that the difficulty lies in the idea of infallibility at all, rather than in the infallibility of the Pope.

Bellarmine thus explained the infallibility of the Church:

> When we say, the Church cannot err, we understand this both of the whole body of faithful and of the whole body of bishops; so that the meaning of the proposition 'the Church cannot err' is this: that which all the faithfull hold as of faith, necessarily is true and of faith; and similarly, that which all the bishops teach as being of faith, necessarily is true and of faith. (Cited in Adnotations to the theologians' schema on the Church, No. 15.)[17]

Very important questions in regard to the status of diocesan bishops arose at the Council, but did not come to an issue. There was an understanding, there is evidence that a promise was given, that on the resumption of the Council in the winter of 1870 this matter of the Episcopate would be the first business taken in hand, as part of the outstanding schema 'de Ecclesia Christi'. In regard to the exercise of the infallibility it was hoped by some that the chapter on 'the Infallibility of the Church' would afford an opportunity of bringing out, what was in practice agreed by most, that when Pope (or General Council) speaks infallibly he is uttering the mind of the infallible Church. The preamble of the decree lays down

[17] Mansi, III (51), 579; *Lac* 598.

that the more solemn ways of ascertaining the mind of the Church are by œcumenical Councils, or by ascertaining the mind of the Church dispersed, or by particular synods—i.e. through the bishops: but the bishops do not necessarily always come in, for it is added, 'sometimes using other helps'. Even such strong Minority bishops as Hefele and Moriarty recognized that frequently errors are broached so manifestly counter to Catholic Faith that it would be needless and absurd for the Pope to consult the bishops of the world before condemning them as heretical: he would, and does, in that case use the advice of his theologians. Thus the decree makes it certain that the Pope does not consult bishops in all cases of dogmatic *ex cathedra* pronouncements, and that therefore previous consultation with bishops as such is not a necessary condition for the exercise of his infallibility.

When we come to consider the question of the jurisdiction of bishops in face of the doctrine of the primacy as defined in chapter III of the Constitution,—which at the beginning of this chapter I said seems to be a really more fundamental matter than the infallibility,—we must remember that there was not on the part of the Minority bishops any real questioning of the doctrine laid down; the leaders declared it to be the Catholic Faith: only the terms 'ordinary and episcopal' were by some objected to, not so much in themselves, as being likely to be misunderstood, and to give countenance to the idea that the bishops are but the Pope's vicars. Against such an inference the decree expressly declares that 'this power of the Sovereign Pontiff is no prejudice to that ordinary and immediate power of episcopal jurisdiction by which bishops, who, set by the Holy Ghost, have succeeded to the place of the Apostles, feed and govern, each his own flock assigned to him, as true pastors'.[18] Leo XIII, in the encyclical 'Satis cognitum' declares that 'bishops are not to be accounted vicars of the Roman Pontiff'. And the recent Codex of Canon Law lays down:

> Bishops are the successors of the Apostles, and by divine

[18] Constitution, c. III, § 3 (Appendix).

institution are set over individual churches, which they govern with ordinary power, under the authority of the Roman Pontiff (canon 329). Cf.: Ordinary power of jurisdiction is that which by the law itself belongs to an office; delegated is that which is given to a person (canon 197).

Such pronouncements bring out unmistakably that the Pope's universal jurisdiction is not held to impair the true episcopal jurisdiction of bishops in their dioceses, which is of 'divine institution'. The bishops of the Western Church are bound by the body of laws of the Codex of Canon Law of Benedict XV; and they are bound in matters of public divine worship by the regulations of the Congregation of Rites; and in other matters by the decisions of other Roman Courts. It is open to a Catholic to think that there is in some respect unnecessary and undue centralization,—St. Bernard thought so in his time—and that the bishops might be given a freer hand. But it may well be considered that some centralization is the price of unity in a religious body that exists throughout the world, in all countries and nations and races and tongues. If all bishops had a free hand in liturgical matters, and could do as they pleased in the ordering of divine worship, it is likely that undesirable results would soon manifest themselves. The need of legal liturgical standards has recently been experienced outside the Catholic Church, as a safeguard against liturgical anarchy. Conformity of practice and observance in a Church really Catholic can be secured only by a central authority.

CHAPTER XXVIII

# IMPRESSIONS AND REFLECTIONS

On return home from the Council Bishop Ullathorne issued in October 1870 to his flock of the Birmingham diocese a pastoral letter giving an account of what had taken place at the Council. His words picturing the general procedure, atmosphere, temper of the Council may fittingly be reproduced here :

Restored by the blessing of God to my ordinary health, I deem it amongst my earliest duties to put before you the decrees of the Vatican Council defining as of faith the doctrine of the infallible teaching of the Vicar of Christ. But as so many false statements have gone abroad respecting the way in which the question was treated in the Council, it will be but justice to that holy and august assembly, if, in the first instance, I give, in a brief manner, the history of the introduction and the passing of that most important decree. . . .

Keeping, then, the widespread misrepresentations in view, let me first say a word upon the spirit which animated the Fathers of the Council. And of course I speak of what passed within that sacred assembly, being a witness of all from first to last ; to which I may venture to add, being a witness also of all that passed in one of the most important of the special committees, to which I had the honour of being elected. . . . .

Never before had the Church witnessed an episcopal assemblage so numerous ; and most impressive was it to see the patriarchs and prelates of all the Oriental Rites without exception mingled with the primates, archbishops, bishops, and heads of Religious Orders of the Western

Church. To the number of nearly eight hundred they had come from near and far off, even from the remotest regions of the globe. Never before had so wide a reach of learning and so great an accumulation of experience come together for the service of the Church. . . .

The qualities that adorned the assemblies of the Council were order and dignity, charity and the spirit of brotherhood, kindliness and courtesy of manner, unwavering patience, and a frankness and freedom of speech which was only controlled by these virtues; those qualities, in short, which Catholics of all nations are accustomed to contemplate in their bishops. No one could enter the Council without being struck and edified by the simple and dignified bearing of the prelates, their frank and open bearing towards each other, and that unity of brethren in the bond of charity which became the chief ministers of Christ and the dispensers of God's mysteries. Often was admiration expressed at this spectacle, which even the strongest diversity of opinion seemed never to interfere with.[1] . . .

Is it necessary I should say that there were no personal altercations, except in the imagination of certain newspaper correspondents? Ardour there was in debate, but an ardour replete with gravity, and with a sense of responsibility that weighed more heavily than usual upon men accustomed to bear the burden of the Church. The great freedom of speech sometimes occasioned calls to order; but, with rare exceptions, the manifest sense of the Council anticipated the voice of the President. In no case was a discussion closed by the Presidents until either there were no more speakers who offered themselves, or until the majority of the Council plainly indicated that the subject was exhausted, and then the closing of the debate was decided by the general vote.[2]

[1] Even at the height of their controversy friendly and affectionate letters passed between Dechamps and Dupanloup. (Mourret, pp. 170, 282.)

[2] The continuation, describing the course of the infallibility discussion, may be found in *Life of Bishop Ullathorne*, II, 69; his interpretation of the definition has been given above (p. 455).

Ullathorne's picture is confirmed by Cardinal Gibbons :[3]

> The conduct of the bishops towards each other was marked by mutual esteem and by good temper that was rarely ruffled even when the most burning questions were deliberated. The most ample liberty of discussion prevailed. The presiding cardinals exhibited a courtesy of manner and a forbearance even in the heat of debate that was worthy of all praise. Elsewhere he speaks of 'the mutual respect and patient attention', 'the self-restraint and affability, despite intensity of feeling and strength of conviction'.

I submit that what has gone before in these volumes, based on the authentic records and documents, justifies us in taking as substantially true Bishop Ullathorne's account of what took place in the Council Chamber; and consequently rejecting the picture of violence, disorder, and unseemly behaviour that has been the popular Protestant tradition, based on Quirinus, Pomponio Leto, and the correspondents of the newspapers. The misrepresentations and exaggerations of such writers, engendered by partisan spirit, hostility to the Church, panic fear, are to be almost wholly discarded; and the Vatican Council, in so far as the inside working was concerned, may take its place among the most seemly of the Councils. For it has to be admitted that often the Acts even of General Councils are far from pleasing reading: this may be said of Constantinople 1 and of Ephesus, and even of Chalcedon; and at Trent there occurred episodes more disedifying than any of the Vatican Council.[4] There was at it one, but only one, really very regrettable incident, that of March 22. So much for clearing away the mass of misconception and prejudice hitherto current in circles outside the Catholic Church.

But for Catholics a number of impressions and reflections may remain, giving food for thought.

Catholics may reflect with thankfulness that out of the Council there finally emerged two doctrinal Constitutions of

[3] *Retrospect of Fifty Years*, 1, 13; cf. 154, 178.

[4] Ollivier (op. cit., 1, 472 ff.) collects the lively 'scenes' of Trent.

first importance. The importance of the second, on the Papacy, is recognized on all hands. And anyone in touch with the religious-philosophical problems of the day, will be able to estimate the value of the first, as safeguarding the basic principles of traditional Catholic Christianity. Thus Catholics may thankfully rejoice in the outcome of the Vatican Council.

But the course of its procedure and the process of gestation of the decrees does give rise to thoughts of various kinds, that might be of practical import, should the rumours now and then current of a possible resumption of the Council ever come to fulfilment.

To the present historian of the Council it seems that the official programme as announced in the bull of Indiction was much too wide and too vague: to find remedies for the evils of the age, intellectual, social, political—it was a magnificent conception, but too vast to be realizable. And when the bishops were invited to suggest any subjects that seemed to them to be for the good of religion, of the Church, of society, there resulted such a crop of most diverse topics, that the Congregation whose business it was to report on such proposals was unable to cope with the mass of material that poured in, and no Council could have dealt with a tithe of it. It does seem that a General Council should be convoked to deal with some definite issue: a heresy to be ruled out, a doctrine to be defined: True, Trent ranged over a wide field of doctrine; but it was question of asserting Catholic doctrine against the errors of the Reformers.

There may have been a basis of truth in the cry of the enemies of the Council and of the Papacy, that the real purpose of the Council was withheld, camouflaged; that it was the defining of the position of the Pope, and in particular his infallibility; and that every one, friend and foe alike, knew this quite well and openly proclaimed it. For instance, Ullathorne took it for granted in the letter of October 26, 1869 (p. 119); and as we have seen, bishops on both sides, Dechamps and Manning, Maret and Dupanloup, and the Catholic press, Ultramontane and liberal, discussed it pub-

licly before the Council as the question of the hour. The motives that impelled the authorities at Rome not to put it forward, but leave it to be called for by the bishops, may easily be understood ; but looking back it is difficult for us to doubt that the misrepresentation, the excitement, and the heat engendered, would have been less, had the thing been openly announced from the beginning as part of the official programme, so that the suspicion of its introduction being the intrigue of the Curia and of a party might have been avoided.

When we come to consider the actual working of the Council many thoughts arise. Without doubt the idea was reasonable and good, that the matters to come before the Council should be prepared and drafted beforehand by expert committees of theologians and canonists drawn from all parts of the world. Yet in fact it did not work well. Every single schema, whether on doctrine or on discipline, actually subjected to the criticism of the bishops was ruthlessly mauled, and had to be sent out to the deputations to be drastically amended, or even wholly recast. And it will hardly be questioned that the reformed texts, the outcome of the fire of episcopal criticism, were in each case a marked improvement on the original schema of the theologians. This is a somewhat unexpected result. It may be that there is an element of truth in Ullathorne's notion, that in the matter of defining doctrine, the bishops, with their practical experience, not to speak of their charisma as successors of the Apostles, see better than the theologians. It is likely enough that an episcopal element on the preparatory commissions—perhaps bishops who after having been professors of theology, had had experience in the pastoral charge and in the responsibilities of governing great dioceses,—might have helped to produce dogmatic and disciplinary schemas that would have been more acceptable to the body of bishops in the Council.

It is manifest that there must needs be great difficulty in managing a deliberative assembly of seven hundred men without experience and without tradition in the conduct of debates. There was lack of order and of co-ordination in the discussions. Many individual speeches were of high quality both in

matter and in manner ; but until the Council settled down to the specific questions of the Pope's primacy and infallibility, little real discussion was possible, except on the deputations. A long schema of a dozen chapters was submitted for discussion as a whole, and the speakers each took, at random it may be said, such point or points as interested them, without relation to what had been said by previous speakers. It is not easy to suggest how, in a so big and amorphous assembly, a more businesslike procedure could be devised, compatible with proper freedom of debate. But the outcome of the Council, high though it was in quality, was in quantity disappointing, not proportionate to the time and labour spent on it. Anyone who reads the speeches must be impressed by the fact that the waste of time was very great. The only likely suggestion made at the Council was that sub-committees of bishops, chosen to represent the different points of view, should discuss at round-table conferences the subjects under debate and present reports to the Council.

It may be thought that the Presidents were responsible for the unsatisfactory character of the debates, and in some measure this is true. Yet they can hardly be blamed. For men untrained in the art of presiding over and controlling a great deliberative assembly, to preside efficiently over the Vatican Council was a task wellnigh impossible. They were certainly too lenient about calls to order ; no Speaker of the House of Commons would tolerate the long and flagrant wanderings from the question before the House indulged in freely, even unconscionably, by many of the Fathers. But if there was weakness in their ruling, there was not, except on one or two occasions of real provocation, any failure in patience or courtesy in their endeavours to curb the episcopal verbosity that often manifested itself.

A question that will call for consideration at any future General Council is the matter of Secrecy. At the Vatican Council all taking part in it, bishops, theologians, officials, were bound by oath to maintain the strictest secrecy in regard to the affairs of the Council. Under this obligation of secrecy fell all the schemata and all the Council documents

circulated among the bishops ; the names of the speakers were published, but what each one said, and the side on which he spoke, was all to be kept secret. As a fact the secrecy was badly kept. Not only the members of the Council, but printers and binders had in their hands the documents ; and it was common knowledge that the Embassies were able to buy copies of everything printed, so that at times documents were in the hands of the Governments, and in the public press, before they were in the hands of the bishops. Secrets in the keeping of seven hundred bishops and as many theologians, and perhaps a hundred more officials, as stenographers and others, to say nothing of the printers, were bound to leak out. Friedrich, one of the theologians, openly in Quirinus' Letters scouted the idea of there being any obligation of secrecy, and openly communicated everything to Acton, to Döllinger, and to the Bavarian Ministry. Manning had a formal dispensation to communicate everything to Odo Russell, for the purpose of countering Acton's endeavours to move Gladstone and the English Cabinet to intervene ; and Icard's Diary declares that Russell spoke freely in Rome of what he had learned of the doings of the Council.[5] Breaches of the secrecy were not confined to one side. It was sometimes not easy to draw the line, and bishops were not always discreet. Louis Veuillot was in Rome, and his brother in the *Life* declares that the Council ' had no secrets from him ', and that the most confidential documents were communicated to the *Univers*.[6]

The result was neither secrecy nor publicity, but an atmosphere of rumour and suspicion, of stories, reports, surmises, that could be neither proved nor refuted. Thus Quirinus had an open field and a free course, being the only circumstantial statements of what was going on in the Council and at Rome. His Letters were received joyfully, triumphantly, by the press and by the great world hostile to the Catholic Church ; and Catholics were distressed and mystified and upset, no definite refutation, only general denials and protests, coming from the tongue-tied bishops.

[5] Mourret, *Concile du Vatican*, p. 199.
[6] *Ibid.*, p. 200.

The only effective refutation would have been the publication from week to week of full reports of the transactions and debates.

At the very beginning an influential group of bishops made a representation on this matter of secrecy, urging that it was against the spirit of the age, which was all for publicity ; and that it would in all likelihood occasion far greater troubles and evils than the publishing of all that took place.[7] The event seems to show that there was much truth in the contention, and that less excitement, less storm, less suspicion and misunderstanding, would have arisen, had even reporters of the public press been given entrance to the debates. Certainly, if ever the Council meets again, the surest way of killing off all excitement, and even all public interest in its proceedings, would probably be to broadcast all with loud speakers over the world : soon even the most curious would tire of listening in !

But indeed, should the Vatican Council be called into being again, it is impossible to imagine a renewal of the wild world-excitement in which the Council of 1870 was held. So far as Catholics are concerned, the chief matter in hot controversy in the 'sixties has been put at rest by the Council in a way that was decisive, and yet has proved moderate, falsifying alike the fears and the hopes of extremists on each wing. Certain points were left open to be dealt with on the reassembling of the Council in the winter, and so are still undecided. Such were the theological questions concerning the objects of the infallibility of the Church spoken of in the foregoing chapter, and the matter on which Ullathorne and many others were solicitous, namely, the determining of the position and the powers and rights of diocesan bishops. That these questions should have been settled would certainly have been advantageous. Still, on the whole, there is good reason for thinking that the suspension of the Council, when it had achieved just so much as it had, was an ordering of Providence. In the natural course the burning questions of Church and state would have come on ; and in the temper in which

[7] Mansi, II (50), 43 ; *Lac* 916.

men's minds were in 1870-71, it is humanly speaking more than probable that they would have been faced and formulated in many ways that would have raised great difficulties between the Church and the modern State and modern political and social ideas. This is very evident in the case of the French neo-Ultramontanes. At that time Europe was under the shadow of the revolutionary waves of the middle of the century, and in most countries a strong anti-clerical, anti-religious, spirit was abroad, influencing governments and legislation. Now, the antagonisms have in great measure died down; and sixty years' experience of the modern democracies has shown that the Catholic Church can work freely and thrive in most of the modern States, and perhaps best in the most really democratic of them. Thus if these questions of Church and State ever come on at a future General Council, the danger, so greatly feared by many of the bishops and by Catholic statesmen, of a fundamental antagonism between the Church and the modern State, is little likely to arise.

The reader of this history who is not of the Communion of the Holy See, will perhaps ask the question, Was the Vatican Council worth while? Were its results commensurate with the storms it raised, the controversies, struggles, strains, disgusts, distresses it caused at the time, not only among hostile forces without, but also in so many loyal minds and hearts within? And all to set up a fresh barrier in the way of a United Christendom! Was this a necessary or a wise act, calculated to further the Kingdom of God on Earth?

To this, the most ingoing question in regard to the Council, a sure answer may be given. The defining of the position of the Pope as successor and heir of St. Peter, according to the mind of the Catholic Church, and the setting forth in unmistakable terms the implications of his primacy and infallible teaching authority, was surely a right act: in that it shuts out the possibility of anyone seeking union with the Catholic Apostolic Roman Church—be it separated Eastern Orthodox Churches, or be it Christian religious Bodies in the West, or individuals—doing so under misapprehension of

what is involved. It would have been deplorable that such unions should be brought about under misunderstandings to be realized too late, with disillusionment and sense of unfair treatment, in that the full truth of the situation had not been disclosed. For, for centuries before the Vatican Council the dogmas it defined on the Papacy had been growing more and more predominant in Catholic schools of Western Christendom, so that anyone coming into the Church would have found himself practically bound to accept them as almost certain theological opinions, liable and likely to be defined. Better far have it clearly defined once for all, so that the realities may be known and faced, and hopes and dreams be not encouraged that the Catholic Church might disavow her past by repudiating a body of teaching that has been hers through the ages.

And so the Catholic Church was honest at the Vatican Council in laying down her lines unequivocally in regard to the Papacy, as she was honest at Trent in laying down her lines in regard to the challenge of the Reformers, thus making clear to all the conditions of communion with her.

So much for those outside; for the Catholic Church herself it will not be questioned by her children that the Vatican decrees have been justified by the results. The ending of the controversies started at Constance has in effect closed up the ranks of Catholics and rallied them with united loyalty and enthusiasm round the Chair of Peter as never before. Not even an Innocent III at the height of his temporal sway over Christendom wielded an authority so wide-cast, undisputed, beneficent, as do the Popes since the Vatican Council: an authority all the more powerful, an influence all the more far-reaching, in that it is only spiritual and religious, based on the sanctions of religion alone.

And so the Vatican Council takes its stand alongside of Trent as a great landmark of the life of the Church.

## SOURCES

The literature of the Vatican Council is immense, and no attempt is made here to draw up anything of the nature of a Bibliography. Only certain outstanding works are named that are fundamental: just collections of Acts and documents, and the standard histories of the Council. The chief controversial literature it called forth is dealt with currently in these pages; it all is fully recorded and summarized in Granderath's History of the Council.

### A—PRIMARY SOURCES

#### *Collections of Acts and Documents*

1. Mansi.—The complete *Acta* are printed in the five concluding volumes of the Continuation of Mansi's *Collectio Conciliorum*, tomes 49-53, 1923-27. Here is printed in full everything official or semi-official relating to the Council: public Acts, documents, reports, petitions, minutes of congregations and committees, and the stenographers' reports in full of all the speeches at the debates—everything. It all fills 6000 folio columns. The various volumes in the Vatican Archives in which this mass of material is preserved are enumerated in the opening chapter of Granderath's History.

In the references these five volumes are numbered I to V, the Mansi number being added in brackets: thus: Mansi I (49).

2. Cecconi.—Shortly after the Council Eugenio Cecconi, Canon of Florence, was commissioned to write the official History, fully documented. He produced one volume in 1873; and another, in 3 parts, in 1879; the work was not continued, he having become Archbishop of Florence. The volumes published contain only the 'Antecedente del Concilio'. The chief feature of the work is the collection of documents, cccviii in number, most miscellaneous in character, dealing with the pre-history of the Council in all its aspects. They are the basis of all the history up to the actual opening, December 8, 1869. The work has been translated into French by Bonhomme, Paris, 1887, 4 vols.

3. *Collectio Lacensis Conciliorum recentiorum*, tome vii: Acta et Decreta S. Concilii Vaticani, cum permultis aliis documentis ad Concilium eiusque historiam spectantibus, 1892. A large 4° volume of 2000 columns. The first 1000 columns is the pith of Mansi's 6000: viz.,

1-500 *Acta et Decreta.*

500-1000 *Documenta Synodalia.*

This portion is superseded by Mansi, where all is given much more

fully: e.g. the reports of the speeches are not given in *Lac.* The other portion contains material not found in Mansi: viz.,

1000-2000 *Documenta Historica.*

The documents number 585, and they are fundamental as sources for the external history, reproducing the principal documents, before and during the Council, of movements among Catholics and on the part of the Governments. This collection is indispensable; as also are the two excellent and exhaustive Indexes of Persons and of Things, which are an invaluable help to students working at the Council.

Two minor collections should be named, though now superseded:

Friedrich: *Documenta ad illustrandum Concilium Vaticanum*, 1871.

Friedberg: *Sammlung der Aktenstücke zum Vat. Konzil*, 1872.

A word should be said on the work of V. Frond: *Actes et Histoire du Concile de Rome*, Paris, 1871. The title is a misnomer; though the work is in eight great volumes *de luxe*, there is nothing in it to justify the title—no acts, no history of the Council. It gives biographies of all the cardinals and bishops, and its interest lies in the fact that it gives portraits and facsimile signatures of most of them.

### B—SUBSIDIARY SOURCES

*Collections of Letters, Diaries, etc.*

1. The best-known series of Letters are those of 'Quirinus'. They are dealt with in c. XIV, and what is said there need not be repeated here. They are hostile to the Council, and everything they say needs to be controlled. An English translation, 800 pages, was published in 1870.

2. Thomas Mozley: *Letters from Rome*, London, 1891, 2 vols. He was the correspondent of *The Times* so severely handled by Ullathorne (p. 150). It is hard to imagine how these letters could have been thought worth reprinting after twenty years. They are not good, even as literature; they contain hardly anything of value, and not much of interest. This is not surprising, seeing that Mozley frankly confesses he could speak neither Italian nor French, and so had to rely on what English gossip he could pick up. The general tone is unsympathetic and frivolous.

3. Louis Veuillot: *Rome pendant le Concile*, Paris, 1872, 2 vols. The redoubtable editor of the *Univers* was in Rome all through the Council, and these are his letters to his paper. They are disappointing; there is not much in them about the Council itself, only outside gossip; there is more of Paris and its religious and political controversies than of Rome. But as 'pièces justificatives' are printed documents of high importance.

4. Bishop Ullathorne's Letters, printed here for the first time; the only letters that give any consecutive information of the workings of the

Council from the inside. They were written, some to his Vicar General, some to his secretary, some to Dr. Northcote, President of Oscott College, some to Newman ; but most to his great and intimate friend Mother Imelda Poole, Superioress of the Dominican Convent at Stone : to her successor we are beholden for placing at my disposal the dossier of Dr. Ullathorne's letters. The letters range over a wide field : antiquities of Rome, Christian and Pagan ; churches, functions ecclesiastical and social, festivals—there is a lively description of the old Carnival and the horse-race in the Corso. A selection is printed in the volume *Letters of Archbishop Ullathorne*. Here only those letters or portions of letters concerned with the Council are reproduced.

5. Diary of M. Icard, Superior of Saint-Sulpice, theologian at the Council of the Archbishop of Sens. The Diary has not been printed, but it is used in Mourret's book, see below, under C. On Icard see c. XIV. If this Diary, which is of considerable length, were printed in full, it would give an intimate picture of the inner working of the Council and of the persons that would be quite unique.

6. Diary of Cardinal Gibbons : *Retrospect of Fifty Years*, 1916. The first section, of 185 pages, contains extracts from his Diary with reminiscences. It gives interesting sketches of prominent figures, but tells little of the Council itself.

7. Friedrich's *Tagebuch während des Vatikan Konzils*, or Diary during the Council, 1871, ed. 2, 1873. It is to some extent the raw material of Quirinus' letters, and is entirely hostile to the Council.

8. A great number of Biographies of the Council bishops have chapters on the Council, often embodying letters or extracts from diaries. The Lives of Manning and of Dupanloup stand out as of special interest.

### C—HISTORIES

1. Friedrich : *Geschichte des Vatikanischen Konzils*, 3 vols., 1877-87 ; 2500 pages in all. This History is written in defence of the Old Catholic position, and like all Friedrich's writings on the Council, is strongly prejudiced. Without doubt a great deal of the information it gives is authentic ; but the work is animated by the spirit of Quirinus, and is tendentious, abounding in exaggerations and distortions, every incident receiving the worst interpretation.

2. Granderath : Fr. Theodore Granderath, S.J., the editor of the Lacensis volume of *Acta*, produced an extended History of the Council. The German, *Geschichte des Vatikanischen Konzils*, in 3 vols., appeared in 1903-6 ; a French translation, in 6 vols., in 1908-19. The scale of the work may be gauged from the fact that the German covers 2000 closely

printed pages, the French 2500. Everything at Rome was placed at his disposal, all archives thrown open. Thus he was able to refute not a few of Friedrich's misstatements, and the work is in great measure a rectification of Friedrich. But though no doubt on the whole Granderath is more right, and his account substantially true, he shows himself almost as decided a partisan: for him the Majority always were right, and the Minority wrong, always and in everything; and in the summaries of the debates and speeches he frequently intervenes personally, arguing and scolding, in a way that spoils his book as a piece of mere history. For all that, it is, and is likely to remain, the standard work on the Council; and, needless to say, the present book is greatly indebted to it.

The divisions and subdivisions are complicated: each volume is divided into Books and each Book into Chapters; but the numbering is not continuous, restarting in each volume and each book. The references will be given in the form

II, Bk. iii, c. 2,

and are applicable equally to the German and the French. When necessary to name a page, the number in the German is given, being recorded in the lower margin of the French.

3. Campana. An Italian history, *Il Concilio Vaticano*, is in course of publication by Dr. Emilio Campana, canon of Lugano, Switzerland. It promises to be on a still larger scale than Granderath; the only volume so far published, 1926, in two parts, 'the atmosphere of the Council,' dealing with the preliminary stages and the controversies up to the actual opening, runs to 900 pages, just double the corresponding portion of Granderath. In this volume are to be found interesting biographical character sketches of the foremost actors at the Council. The position is of course definitely Ultramontane; but the appreciations make the impression of being written with fairness and understanding. There are good grounds for hoping that Campana's work, when accomplished, will provide not only an exhaustive and fully documented history of the Council, but one that is impartial, well balanced, and objective. He tells me, however, that he has had to lay aside the work for the time being.

4. Pomponio Leto: *Otto Mesi a Roma durante il Concilio*, 1873: English translation, *Eight Months at Rome during the Council*; *Impressions of a Contemporary*, 1876.

Friedrich was responsible for starting the report that the author was Cardinal Nobili Vitelleschi, who had taken part in the Council. This canard got currency in the English press, and in spite of denials was persisted in, as by the *Saturday*, the *Contemporary*, and the *Guardian* (see Manning, *True Story*, p. 161). The idea was as absurd as it was injurious: Vitelleschi's votes, speeches, written memoranda, are all to be seen in Mansi, and show him to have acted consistently with the Majority. The

British Museum Catalogue gives the author correctly as ' the Marquis Francesco Nobili Vitelleschi ', a brother of the Cardinal, a man of strong Italian liberal tendencies. The book is of the same colour as Quirinus, abounding in apocryphal incidents, and is altogether antagonistic to the Council.

Two works, not exactly histories, but historical accounts of the Council, must be named :

5. Émile Ollivier : *L'Église et l'État au Concile du Vatican*, 2 vols. 1877 ; 4th ed. 1884. Ollivier and his book are spoken of in c. VI. It is by far the best book on the outside aspects of the Council—the political and religious currents, especially in France, and the proceedings of the Governments in regard to the Council. It may almost be called a philosophical history ; all the great principles at issue, political and religious, are expounded with much learning, ability, understanding, and moderation. Ollivier was not a Catholic, but as a leading French statesman he knew the French bishops and other French actors in the affairs of the Council. His character sketches of Pio Nono, Antonelli, Montalembert, Darboy, Dupanloup, Pie, and others, all of whom he knew personally, are eloquent pieces of writing, marked by sympathetic insight. The book may be recommended as an eminently sane and sensible presentation of the story of the Council, told by an independent and understanding onlooker.

Ollivier returned to the Council in vol. xiii of his work, *L'Empire libéral*, 1908. But this is mostly made up of extracts from the earlier book. In a note at the beginning he tells how some one had sent that earlier work to Rome, to be placed on the Index, and how Leo XIII read it himself, and handed it on to the official, with the note ' Dimittatur ',—surely rightly, for it is the best apologia of the Council.

6. Fernand Mourret : *Le Concile du Vatican*, 1919, 340 pp.

The abbé Mourret is a Sulpitian, now Director or Superior of Saint-Sulpice, Paris. He has produced a general History of the Church in 9 vols. His book is based largely on the Diary of M. Icard (see c. XIV), and on the large and rich collection of letters stored in the archives of Saint-Sulpice. This is the best short book to read on the Council, especially on the French side of it. After fifty years the bitterness of the 'sixties had died down, and Mourret was able to apportion praise and blame with even-handed justice, and with generous recognition for good. There is one blemish : a French post-war mentality appears now and then—all evils of Church and society come from Germany.

| | |
|---|---|
| 1867, June 26. | Proclamation of Council. |
| 1868, June 29. | Bull of Indiction. |
| 1869, Dec. 2. | Presynodal Congregation. |
| Dec. 8. | FIRST PUBLIC SESSION. Opening of Council. |
| Dec. 10 to 20. | First General Congregation. Preliminaries, election of deputations, etc. |
| Dec. 28 to 1870, Jan. 10. | Debate on schema on Catholic Faith. |
| Jan. 6. | SECOND PUBLIC SESSION. Profession of Faith. |
| Jan. 14 to Feb. 22. | Questions of Discipline and Canon Law. |
| Feb. 22 to March 18. | Suspension of public business. |
| March 18 to April 19. | Debates on Constitution on Catholic Faith. |
| April 24. | THIRD PUBLIC SESSION. Constitution on Catholic Faith enacted. |
| April 29 to May 13. | Discussions on the Little Catechism. |
| May 13 to June 3 (closure). | General discussion of schema on Papacy, the opportuneness of defining Pope's infallibility. |
| June 6 to 13. | Debate on Primacy. |
| June 15 to July 4. | Debate on text of Infallibility decree. |
| July 11. | Deputation's revised text expounded. |
| July 13. | Trial ballot. |
| July 16. | Amendments dealt with. |
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# *The Vatican Council 1869-1870*

The history of the Church is bound up with the succession of General Councils. That of Nicaea (325 AD) is often considered the first, though the inter-congregational meeting held in Jerusalem within a few years of Our Lord's death and mentioned in The Acts should probably rank as the earliest Church Council. The last General Council (the twentieth) was held at the Vatican during 1869-70. It was among the most controversial.

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